

# Georgia Rules and Regulations

## Administrative Bulletin for November 2021

### OFFICE OF SECRETARY OF STATE ADMINISTRATIVE PROCEDURE DIVISION

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Final rules filed with the Georgia Secretary of State during the month of *November 2021*:

#### Table of Contents

Department	Rules List	Action	Filed	Effective	Page
110. RULES OF GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS	<a href="#">110-11-1-.24</a> , <a href="#">110-11-1-.26</a> , <a href="#">110-11-1-.28</a> , <a href="#">110-11-1-.34</a>	amended	Nov. 18	Jan. 1, 2022	4
111. RULES OF DEPARTMENT OF COMMUNITY HEALTH	<a href="#">111-8-13-.01</a> --- <a href="#">111-8-13-.06</a>	adopted	Nov. 30	Dec. 20, 2021	164
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	<a href="#">160-1-4-.302</a>	submitted	Nov. 17		167
	<a href="#">160-4-2-.12</a>	amended	Nov. 4	Nov. 24, 2021	168
	<a href="#">160-5-1-.15</a>	amended	Nov. 4	Nov. 24, 2021	171
183. RULES OF STATE ELECTION BOARD	<a href="#">183-1-12-.12</a> , <a href="#">183-1-12-.13</a> , <a href="#">183-1-12-.18</a>	amended	Nov. 1	Nov. 21, 2021	175
	<a href="#">183-1-14-.12</a>	non- substantive change	Nov. 10	Nov. 10, 2021	187
	<a href="#">183-1-14-.12</a>	amended	Nov. 1	Nov. 21, 2021	187
478. RULES OF THE STATE PERSONNEL BOARD	<a href="#">478-1-.16</a>	amended	Nov. 23	Nov. 3, 2021	190

Department	Rules List	Action	Filed	Effective	Page
511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH	<a href="#">511-5-5-.02</a> , <a href="#">511-5-5-.03</a> , <a href="#">511-5-5-.07</a> , <a href="#">511-5-5-.09</a>	amended	Nov. 29	Dec. 29, 2021	215
560. RULES OF DEPARTMENT OF REVENUE	<a href="#">560-7-8-.56</a>	amended	Nov. 18	Dec. 8, 2021	219
	<a href="#">560-7-8-.67</a>	adopted	Nov. 18	Dec. 8, 2021	227

Final rules filed with the Georgia Secretary of State that became effective *November 2021*:

Department	Rules List	Action	Filed	Effective
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	<a href="#">160-4-2-.12</a>	amended	Nov. 4, 2021	Nov. 24
	<a href="#">160-5-1-.15</a>	amended	Nov. 4, 2021	Nov. 24
183. RULES OF STATE ELECTION BOARD	<a href="#">183-1-12-.12</a> , <a href="#">183-1-12-.13</a> , <a href="#">183-1-12-.18</a>	amended	Nov. 1, 2021	Nov. 21
	<a href="#">183-1-14-.12</a>	amended	Nov. 1, 2021	Nov. 21
375. RULES OF DEPARTMENT OF DRIVER SERVICES	<a href="#">375-3-1-.35</a>	amended	Oct. 26, 2021	Nov. 15
391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES	<a href="#">391-1-9-.01</a> --- <a href="#">391-1-9-.03</a>	adopted	Oct. 26, 2021	Nov. 15
	<a href="#">391-1-10-.01</a>	adopted	Oct. 26, 2021	Nov. 15
478. RULES OF THE STATE PERSONNEL BOARD	<a href="#">478-1-.16</a>	amended	Nov. 23, 2021	Nov. 3
515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION	<a href="#">515-8-1-.05</a>	amended	Oct. 25, 2021	Nov. 14
672. STATE DEPARTMENT OF TRANSPORTATION	<a href="#">672-11-.04</a>	amended	Oct. 22, 2021	Nov. 11

**Department 110. RULES OF GEORGIA DEPARTMENT OF  
COMMUNITY AFFAIRS**

**Chapter 110-11. GEORGIA STATE MINIMUM STANDARD CODES**

**Subject 110-11-1. GEORGIA STATE MINIMUM STANDARD CODES**

**110-11-1-.24 [Effective 1/1/2022] International Building Code (IBC), 2018 Edition  
with 2020 and 2022 Georgia State Amendments**



# **Georgia State Amendments to the International Building Code (2018 Edition)**



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**Revised January 1, 2022**

## GEORGIA STATE MINIMUM STANDARD BUILDING CODE

### (INTERNATIONAL BUILDING CODE WITH GEORGIA STATE AMENDMENTS)

The International Building Code, 2018 Edition, published by the International Code Council, when used in conjunction with these and any other Georgia State Amendments to the INTERNATIONAL BUILDING CODE, 2018 Edition, shall constitute the official *Georgia State Minimum Standard Building Code*.

### GEORGIA STATE AMENDMENTS

#### CODE REFERENCE:

(a) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

(b) Replace all references to the *International Energy Conservation Code (IECC)* with references to the *Georgia State Minimum Standard Energy Code (IECC with Georgia State Supplements and Amendments)*. The *Georgia State Minimum Standard Energy Code* shall be used for efficiency and coefficient of performance ratings of equipment.

(c) Replace all references to the *International Existing Building Code (IEBC)* with references to Chapter 34 'Existing Buildings' of these Georgia State Amendments.

Note: By Georgia law, the *International Existing Building Code* is a permissive or optional State Minimum Standard Code. Consequently, the provisions contained in the *International Existing Building Code* are not mandatory or applicable unless specifically referenced in the adopting ordinance of local governments.

#### APPENDICES:

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

#### SCOPE:

The provisions of the *Georgia State Minimum Standard Building Code* shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception #1:** Detached one- and two-family *dwelling*s and multiple single-family *dwelling*s (townhouses separated by a 2-hour fire-resistance-rated wall assembly) not more than three *stories* above *grade plane* in height with a separate *means of egress* and their accessory structures shall comply with the *Georgia State Minimum Standard One- and Two-Family Dwelling Code (International Residential Code for One- and Two-Family Dwellings with Georgia State Amendments)*.

**Exception #2:** The following table titled 'Codes Reference Guide' establishes specific primary and supplementary code applications and is to be applied by the authority having jurisdiction.

CODES REFERENCE GUIDE		
Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.	IBC	LSC

CODES REFERENCE GUIDE		
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinkler Systems minimum construction standard	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke Alarms and Smoke Detection Systems	State Statute and LSC	NONE
Portable Fire Extinguishers	IFC	NONE
Cooking Equipment	LSC and NFPA 96	NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

*\*Revise the International Building Code, 2018 Edition, to read as follows:*

## CHAPTER 6

### TYPES OF CONSTRUCTION

#### SECTION 602

#### CONSTRUCTION CLASSIFICATION

\*Add new Section 602.1.2 'Alternative mass timber provisions (Appendix P)' to read as follows:

**602.1.2 Alternative mass timber provisions (Appendix P).** As an alternative to the construction types defined in 602.2 through 602.5, buildings and structures erected or to be erected, altered or extended in height or area shall be permitted to be classified as construction Type IV-A, IV-B or IV-C in accordance with Appendix P. Buildings and structures classified as IV-A, IV-B, and IV-C shall comply with the provisions of Appendix P, as well as all other applicable provisions of this code, including provisions for buildings of Type IV construction.

(Effective January 1, 2022)

## CHAPTER 17

### SPECIAL INSPECTIONS AND TESTS

#### SECTION 1704

#### SPECIAL INSPECTIONS AND TESTS, CONTRACTOR RESPONSIBILITY AND STRUCTURAL OBSERVATION

\*Revise Table 1704.2 'Minimum Special Inspector Qualifications' to read as follows:

TABLE 1704.2 MINIMUM SPECIAL INSPECTOR QUALIFICATIONS			
Category of Testing and Inspection	Minimum Qualifications (refer to key at end of Table)		
	Shop Testing or Inspection	Field Testing or Inspection	Review Testing, Certification & Lab Reports
<b>1704.2.5 Inspection of Fabricators</b>			
Pre-cast concrete	A, C, E		

**TABLE 1704.2 MINIMUM SPECIAL INSPECTOR QUALIFICATIONS**

Structural steel construction	C, F, G		
Wood construction	A		
Cold formed metal construction	A		
<b>1705.2, 1705.10, 1705.11 &amp; 1705.12 Steel Construction</b>			
Verification of welding consumables, filler metals, procedure specifications, procedure qualification records and personnel performance qualification records			C, F
Nondestructive testing of welding	G	G	
Inspection of welding	C, F	C, F	
Verification of fabricator and erector documents as listed in AISC 360, chapter N, paragraph 3.2			A, C
Material verification of weld filler materials			C, F
Inspection of high strength bolting and steel frame joint details		A, C	
Inspection of embedment		A, C, F	
Inspection of steel elements of composite construction		A, C, F	
Verification of reinforcing steel, cold formed steel deck and truss materials			A, C, F
Inspection of reinforcing steel, cold formed steel deck and trusses		A, C	
<b>1705.3 &amp; 1705.12 Concrete Construction</b>			
Reinforcing placement, cast-in-place bolts, post installed anchors concrete and shotcrete placement and curing operations. Inspection of formwork for shape, location and dimensions		A, C, H	
Pre-stressing steel installation		A, C, D, E	
Erection of pre-cast concrete members		A, C, H	
Concrete field sampling and field testing		J	
Concrete strength testing		P	
Review certified mill reports			A, C
Verify use of required design mix		A, I, J, H, C	
Pre-stressed (pre-tensioned) concrete force application	A, C, E		
Post-tensioned concrete force application		A, C, D	



**TABLE 1704.2 MINIMUM SPECIAL INSPECTOR QUALIFICATIONS**

Review of in-situ concrete strength, prior to stressing of			
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Remainder of Table to remain unchanged.

(Effective January 1, 2022)

## SECTION 1705

### REQUIRED SPECIAL INSPECTIONS AND TESTS

\*Revise Table 1705.3 'Required Special Inspections and Tests of Concrete Construction' to read as follows:

**TABLE 1705.3**

### REQUIRED SPECIAL INSPECTIONS AND TESTS OF CONCRETE CONSTRUCTION

TYPE	CONTINUOUS SPECIAL INSPECTION	PERIODIC SPECIAL INSPECTION	REFERENCED STANDARD <sup>a</sup>	IBC REFERENCE
1. Inspect reinforcement, including prestressing tendons, and verify placement.	-	X	ACI 318: Ch. 20, 25.2, 25.3, 26.6.1-26.6.3	1908.4
2. Reinforcing bar welding:	-	X	AWS D1.4	-
a. Verify weld ability of reinforcing bars other than ASTM A706;	X	X	ACI 318: 26.6.4	
b. Inspect single-pass fillet welds, maximum 5/16" and c. Inspect all other welds.				
3. Inspect anchors cast in concrete.	-	X	ACI 318: 17.8.2	-
4. Inspect anchors post-installed in hardened concrete members. <sup>b</sup>	X	X	ACI 318: 17.8.2.4	-
a. Adhesive anchors installed in horizontally or upwardly inclined orientations to resist sustained tension loads.				
b. Mechanical anchors and adhesive anchors not defined in 4.a.			ACI 318: 17.8.2	

TYPE	CONTINUOUS SPECIAL INSPECTION	PERIODIC SPECIAL INSPECTION	REFERENCED STANDARD <sup>a</sup>	IBC REFERENCE
5. Verify use of required design mix.	-	X	ACI 318: Ch. 19, 26.4.3, 26.4.4	1904.1, 1904.2, 1908.2, 1908.3
6a. Prior to concrete placement, fabricate specimens for strength tests, perform slump or slump flow, air content tests, density and determine the temperature of the concrete with all results included in the test reports.	X	-	ASTM C172 ASTM C31 ACI 318: 26.5, 26.12	1908.10
6b. Verify that concrete specimens for strength tests are maintained in the required initial curing and laboratory curing environment, and that the maximum and minimum temperatures during the initial curing period are reported.	X	-	ACI 318 26.12 ASTM C31	-
7. Inspect concrete and shotcrete placement for proper application techniques.	X	-	ACI 318: 26.5	1908.6, 1908.7, 1908.8
8. Verify maintenance of specified curing temperature and techniques.	-	X	ACI 318: 26.5.3-26.5.5	1908.9
9. Inspect prestressed concrete for: a. Application of prestressing forces; and b. Grouting of bonded prestressing tendons.	X X	- -	ACI 318: 26.10	-
10. Inspect erection of precast concrete members.	-	X	ACI 318: 26.9	-
11. Verify in-situ concrete strength, prior to stressing of tendons in post-tensioned concrete and prior to removal of shores and forms from	-	X	ACI 318: 26.11.2	-

TYPE	CONTINUOUS SPECIAL INSPECTION	PERIODIC SPECIAL INSPECTION	REFERENCED STANDARD <sup>a</sup>	IBC REFERENCE
beams and structural slabs.				
12. Inspect formwork for shape, location and dimensions of the concrete member being formed.	-	X	ACI 318: 26.11.1.2(b)	-

For SI: 1 inch = 25.4 mm.

a. Where applicable, see Section 1705.12, Special inspections for seismic resistance.

Specific requirements for special inspection shall be included in the research report for the anchor issued by an approved source in accordance with 17.8.2 in ACI 318, or other qualification procedures. Where specific requirements are not provided, special inspection requirements shall be specified by the registered design professional and shall be approved by the building official prior to the commencement of work.

(Effective January 1, 2022)

\*Add new Section 1705.3.3 'Testing agency' to read as follows:

1705.3.3 **Testing agency.** The testing agency performing acceptance testing shall comply with ASTM C1077.

(Effective January 1, 2022)

## CHAPTER 35

### REFERENCED STANDARDS

\*Revise Chapter 35 'Referenced Standards' to add the following new reference standards to read as follows:

<b>ASTM</b>		ASTM International 100 Barr Harbor Drive West Conshohocken, PA 19428-2859
Standard reference number	Title	Referenced in code section number
c1077-17	Standard Practice for Agencies Testing concrete and Concrete Aggregates for Use in Construction and Criteria for Testing Agency Evaluation.	1705.3.3, GA Amendments

## IBC APPENDIX P

### TALL MASS TIMBER BUILDINGS

#### P101

#### GENERAL

P101.1 **Purpose.** The purpose of this appendix is to provide criteria for three new mass timber construction types: Type IV-A, Type IV-B and Type IV-C. These building types expand the allowable use of mass timber construction to larger areas and greater heights than allowed for Type IV-HT construction.

P101.2 **Scope.** The provisions in this appendix shall be permitted to be used in addition to or in lieu of the corresponding sections in the 2018 International Building Code, and shall be mandatory where Types IV-A, IV-B and IV-C construction are used. Where building Types IV-A, IV-B, or IV-C are not used, this appendix does not apply.

## P102

# AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE

## CHAPTER 1

### SCOPE AND ADMINISTRATION

*Add new text as follows:*

110.3.5 **Type IV-A, IV-B and IV-C connection protection inspection.** In buildings of Type IV-A, IV-B and IV-C Construction where connection fire resistance ratings are provided by wood cover calculated to meet the requirements of Section 2304.10.1 inspection of the wood *cover* shall be made after the cover is installed but before any other coverings or finishes are installed.

## CHAPTER 2

### DEFINITIONS

*Add new text as follows:*

**MASS TIMBER.** Structural elements of Type IV construction primarily of solid, built-up, panelized or engineered wood products that meet minimum cross section dimensions of Type IV construction.

**NONCOMBUSTIBLE PROTECTION (FOR MASS TIMBER).** Noncombustible material, in accordance with Section 703.5, designed to increase the fire-resistance rating and delay the combustion of mass timber.

*Revise as follows:*

**[BS] WALL, LOAD-BEARING.** Any wall meeting either of the following classifications:

1. Any metal or wood stud wall that supports more than 100 pounds per linear foot (1459 N/m) of vertical load in addition to its own weight.
2. Any *masonry*, concrete or mass timberwall that supports more than 200 pounds per linear foot (2919 N/m) of vertical load in addition to its own weight.

## CHAPTER 4

### SPECIAL DETAILED REQUIREMENTS BASED ON OCCUPANCY AND USE

*Revise as follows:*

[F] 403.3.2 **Water supply to required fire pumps.** In all buildings that are more than 420 feet (128 m) in building height, and buildings of Type IV-A and IV-B construction that are more than 120 feet in building height, required fire pumps shall be supplied by connections to not fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the

supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

**Exception:** Two connections to the same main shall be permitted provided that the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through not fewer than one of the connections.

## CHAPTER 5

### GENERAL BUILDING HEIGHT AND AREAS

*Revise as follows:*

**TABLE 504.3**

#### ALLOWABLE BUILDING HEIGHT IN FEET ABOVE GRADE PLANE<sup>a</sup>

OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION												
	SEE FOOTNOTES	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
		A	B	A	B	A	B	A	B	C	HT	A	B
A, B, E, F, M, S, U	NS <sup>b</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	270	180	85	85	70	60
H-1, H-2, H-3, H-5	NS <sup>c,d</sup>	UL	160	65	55	65	55	120	90	65	65	50	40
	S												
H-4	NS <sup>c,d</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	140	100	85	85	70	60
I-1 Condition 1, I-3	NS <sup>d,e</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	180	120	85	85	70	60
I-1 Condition 2, I-2	NS <sup>d,e,f</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85									
I-4	NS <sup>d,g</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	180	120	85	85	70	60
R <sup>h</sup>	NS <sup>d</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S13D	60	60	60	60	60	60	60	60	60	60	50	40
	S13R	60	60	60	60	60	60	60	60	60	60	60	60
	S	UL	180	85	75	85	75	270	180	85	85	70	60

For SI: 1 foot = 304.8 mm

UL = Unlimited; NS = Buildings not equipped throughout with an automatic sprinkler system; S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2; S13D = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.3.

a. See Chapters 4 and 5 for specific exceptions to the allowable heights in the chapter.

b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

c. New Group H occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.5

d. The NS value is only for use in evaluation of existing building height in accordance with the International Existing Building Code.

e. New Group I-1 and I-3 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6. For new Group I-1 occupancies Condition 1, see Exception 1 of Section 903.2.6.

f. New and existing Group I-2 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6 and Section 1103.5 of the International Fire Code.

g. For new Group I-4 occupancies, see Exceptions 2 and 3 of Section 903.2.6.

h. New Group R occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.8.

*Revise as follows:*

**TABLE 504.4**

**ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE<sup>a, b</sup>**

OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION												
	SEE FOOTNOTES	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
		A	B	A	B	A	B	A	B	C	HT	A	B
A-1	NS	UL	5	3	2	3	2	3	3	3	3	2	1
	S	UL	6	4	3	4	3	9	6	4	4	3	2
A-2	NS	UL	11	3	2	3	2	3	3	3	3	2	1
	S	UL	12	4	3	4	3	18	12	6	4	3	2
A-3	NS	UL	11	3	2	3	2	3	3	3	3	2	1
	S	UL	12	4	3	4	3	18	12	6	4	3	2
A-4	NS	UL	11	3	2	3	2	3	3	3	3	2	1
	S	UL	12	4	3	4	3	18	12	6	4	3	2
A-5	NS	UL	UL	UL	UL	UL	UL	1	1	1	UL	UL	UL
	S	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL
B	NS	UL	11	5	3	5	3	5	5	5	5	3	2
	S	UL	12	6	4	6	4	18	12	9	6	4	3
E	NS	UL	5	3	2	3	2	3	3	3	3	1	1
	S	UL	6	4	3	4	3	9	6	4	4	2	2
F-1	NS	UL	11	4	2	3	2	3	3	3	4	2	1
	S	UL	12	5	3	4	3	10	7	5	5	3	2
F-2	NS	UL	11	5	3	4	3	5	5	5	5	3	2
	S	UL	12	6	4	5	4	12	8	6	6	4	3
H-1	NS <sup>c,d</sup>	1	1	1	1	1	1	NP	NP	NP	1	1	NP
	S							1	1	1			
H-2	NS <sup>c,d</sup>	UL	3	2	1	2	1	1	1	1	2	1	1
	S							2	2	2			
H-3	NS <sup>c,d</sup>	UL	6	4	2	4	2	3	3	3	4	2	1
	S							4	4	4			
H-4	NS <sup>c,d</sup>	UL	7	5	3	5	3	5	5	5	5	3	2
	S	UL	8	6	4	6	4	8	7	6	6	4	3
H-5	NS <sup>c,d</sup>	4	4	3	3	3	3	2	2	2	3	3	2
	S							3	3	3			
I-1 Condition 1	NS <sup>d,e</sup>	UL	9	4	3	4	3	4	4	4	4	3	2
	S	UL	10	5	4	5	4	10	7	5	5	4	3

OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION												
	SEE FOOTNOTES	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
		A	B	A	B	A	B	A	B	C	HT	A	B
I-1 Condition 2	NS <sup>d,e</sup>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	S <sup>i</sup>	UL	10	3	2	2	1	7	4	1	2	2	1
I-2	NS <sup>d,f</sup>	UL	4	2	1	1	NP	NP	NP	NP	1	1	NP
	S	UL	5	3				7	5	1			
I-3	NS <sup>d,e</sup>	UL	4	2	1	2	1	2	2	2	2	2	1
	S	UL	5	3	2	3	2	7	5	3	3	3	2
I-4	NS <sup>d,g</sup>	UL	5	3	2	3	2	3	3	3	3	1	1
	S	UL	6	4	3	4	3	9	6	4	4	2	2
M	NS	UL	11	4	2	4	2	4	4	4	4	3	1
	S	UL	12	5	3	5	3	12	8	6	5	4	2
R-1 <sup>h</sup>	NS <sup>d</sup>	UL	11	4	4	4	4	4	4	4	4	3	2
	S13R	4	4									4	3
	S	UL	12	5	5	5	5	18	12	8	5	4	3
R-2 <sup>h</sup>	NS <sup>d</sup>	UL	11	4	4	4	4	4	4	4	4	3	2
	S13R	4	4	4								4	3
	S	UL	12	5	5	5	5	18	12	8	5	4	3
R-3 <sup>h</sup>	NS <sup>d</sup>	UL	11	4	4	4	4	4	4	4	4	3	3
	S13D	4	4									3	3
	S13R	4	4									4	4
	S	UL	12	5	5	5	5	18	12	5	5	4	4
R-4 <sup>h</sup>	NS <sup>d</sup>	UL	11	4	4	4	4	4	4	4	4	3	2
	S13D	4	4									3	2
	S13R	4	4									4	3
	S	UL	12	5	5	5	5	18	12	5	5	4	3
S-1	NS	UL	11	4	2	3	2	4	4	4	4	3	1
	S	UL	12	5	3	4	3	10	7	5	5	4	2
S-2	NS	UL	11	5	3	4	3	4	4	4	4	4	2
	S	UL	12	6	4	5	4	12	8	5	5	5	3
U	NS	UL	5	4	2	3	2	4	4	4	4	2	1
	S	UL	6	5	3	4	3	9	6	5	5	3	2

UL = Unlimited; NP = Not Permitted; NS = Buildings not equipped throughout with an automatic sprinkler system; S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2; S13D = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.3.

a. See Chapters 4 and 5 for specific exceptions to the allowable height in this chapter.

b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

c. New Group H occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.5.

d. The NS value is only for use in evaluation of existing building height in accordance with the International Existing Building Code.

e. New Group I-1 and I-3 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6. For new Group I-1 occupancies, Condition 1, see Exception 1 of Section 903.2.6.

f. New and existing Group I-2 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6 and 1103.5 of the International Fire Code.

g. For new Group I-4 occupancies, see Exceptions 2 and 3 of Section 903.2.6.

h. New Group R occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.8.

i. For all I-1 Condition 2, the building shall be protected throughout with an approved automatic sprinkler system, installed in accordance with NFPA 13 as adopted by the Rules and Regulations of the Safety Fire Commissioner. No increase in story height shall be permitted.

*Revise as follows:*

**TABLE 506.2**

**ALLOWABLE AREA FACTOR ( $A_t$  = NS, S1, S13R, S13D OR SM, as applicable) IN SQUARE FEET<sup>a,b</sup>**

OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION												
	SEE FOOTNOTES	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
		A	B	A	B	A	B	A	B	C	HT	A	B
A-1	NS	UL	UL	15,500	8,500	14,000	8,500	45,000	30,000	18,750	15,000	11,500	5,500
	S1	UL	UL	62,000	34,000	56,000	34,000	180,000	120,000	75,000	60,000	46,000	22,000
	SM	UL	UL	46,500	25,500	42,000	25,500	135,000	90,000	56,250	45,000	34,500	16,500
A-2	NS	UL	UL	15,500	9,500	14,000	9,500	45,000	30,000	18,750	15,000	11,500	6,000
	S1	UL	UL	62,000	38,000	56,000	38,000	180,000	120,000	75,000	60,000	46,000	24,000
	SM	UL	UL	46,500	28,500	42,000	28,500	135,000	90,000	56,250	45,000	34,500	18,000
A-3	NS	UL	UL	15,500	9,500	14,000	9,500	45,000	30,000	18,750	15,000	11,500	6,000
	S1	UL	UL	62,000	38,000	56,000	38,000	180,000	120,000	75,000	60,000	46,000	24,000
	SM	UL	UL	46,500	28,500	42,000	28,500	135,000	90,000	56,250	45,000	34,500	18,000
A-4	NS	UL	UL	15,500	9,500	14,000	9,500	45,000	30,000	18,750	15,000	11,500	6,000
	S1	UL	UL	62,000	38,000	56,000	38,000	180,000	120,000	75,000	60,000	46,000	24,000
	SM	UL	UL	46,500	28,500	42,000	28,500	135,000	90,000	56,250	45,000	34,500	18,000
A-5	NS	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL
	S1												
	SM												
B	NS	UL	UL	37,500	23,000	28,500	19,000	108,000	72,000	45,000	36,000	18,000	9,000
	S1	UL	UL	150,000	92,000	114,000	76,000	432,000	288,000	180,000	144,000	72,000	36,000
	SM	UL	UL	112,500	69,000	85,500	57,000	324,000	216,000	135,000	108,000	54,000	27,000
E	NS	UL	UL	26,500	14,500	23,500	14,500	76,500	51,000	31,875	25,500	18,500	9,500
	S1	UL	UL	106,000	58,000	94,000	58,000	306,000	204,000	127,500	102,000	74,000	38,000
	SM	UL	UL	79,500	43,500	70,500	43,500	229,500	153,000	95,625	76,500	55,500	28,500
F-1	NS	UL	UL	25,000	15,500	19,000	12,000	100,500	67,000	41,875	33,500	14,000	8,500
	S1	UL	UL	100,000	62,000	76,000	48,000	402,000	268,000	167,500	134,000	56,000	34,000
	SM	UL	UL	75,000	46,500	57,000	36,000	301,500	201,000	125,625	100,500	42,000	25,500
F-2	NS	UL	UL	37,500	23,000	28,500	18,000	151,500	101,000	63,125	50,500	21,000	13,000
	S1	UL	UL	150,000	92,000	114,000	72,000	606,000	404,000	252,500	202,000	84,000	52,000
	SM	UL	UL	112,500	69,000	85,500	54,000	454,500	303,000	189,375	151,500	63,000	39,000
H-1	NS <sup>c</sup>	21,000	16,500	11,000	7,000	9,500	7,000	10,500	10,500	10,500	10,500	7,500	NP
	S1												
H-2	NS <sup>c</sup>	21,000	16,500	11,000	7,000	9,500	7,000	10,500	10,500	10,500	10,500	7,500	3,000
	S1												
	SM												
H-3	NS <sup>c</sup>	UL	60,000	26,500	14,000	17,500	13,000	25,500	25,500	25,500	25,500	10,000	5,000
	S1												
	SM												
H-4	NS <sup>c,d</sup>	UL	UL	37,500	17,500	28,500	17,500	72,000	54,000	40,500	36,000	18,000	6,500
	S1	UL	UL	150,000	70,000	114,000	70,000	288,000	216,000	162,000	144,000	72,000	26,000
	SM	UL	UL	112,500	52,500	85,500	52,500	216,000	162,000	121,500	108,000	54,000	19,500
H-5	NS <sup>c,d</sup>	UL	UL	37,500	23,000	28,500	19,000	72,000	54,000	40,500	36,000	18,000	9,000
	S1	UL	UL	150,000	92,000	114,000	76,000	288,000	216,000	162,000	144,000	72,000	36,000
	SM	UL	UL	112,500	69,000	85,500	57,000	216,000	162,000	121,500	108,000	54,000	27,000



OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION												
	SEE FOOTNOTES	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
		A	B	A	B	A	B	A	B	C	HT	A	B
I-1	NS <sup>d,e</sup>	UL	55,000	19,000	10,000	16,500	10,000	54,000	36,000	18,000	18,000	10,500	4,500
	S1	UL	220,000	76,000	40,000	66,000	40,000	216,000	144,000	72,000	72,000	42,000	18,000
	SM	UL	165,000	57,000	30,000	49,500	30,000	162,000	108,000	54,000	54,000	31,500	13,500
I-2	NS <sup>d,f</sup>	UL	UL	15,000	11,000	12,000	NP	36,000	24,000	12,000	12,000	9,500	NP
	S1	UL	UL	60,000	44,000	48,000	NP	144,000	96,000	48,000	48,000	38,000	NP
	SM	UL	UL	45,000	33,000	36,000	NP	108,000	72,000	36,000	36,000	28,500	NP
I-3	NS <sup>d,e</sup>	UL	UL	15,000	10,000	10,500	7,500	36,000	24,000	12,000	12,000	7,500	5,000
	S1	UL	UL	45,000	40,000	42,000	30,000	144,000	96,000	48,000	48,000	30,000	20,000
	SM	UL	UL	45,000	30,000	31,500	22,500	108,000	72,000	36,000	36,000	22,500	15,000
I-4	NS <sup>d,g</sup>	UL	60,500	26,500	13,000	23,500	13,000	76,500	51,000	25,500	25,500	18,500	9,000
	S1	UL	121,000	106,000	52,000	94,000	52,000	306,000	204,000	102,000	102,000	74,000	36,000
	SM	UL	181,500	79,500	39,000	70,500	39,000	229,500	153,000	76,500	76,500	55,500	27,000
M	NS	UL	UL	21,500	12,500	18,500	12,500	61,500	41,000	25,625	20,500	14,000	9,000
	S1	UL	UL	86,000	50,000	74,000	50,000	246,000	164,000	102,500	82,000	56,000	36,000
	SM	UL	UL	64,500	37,500	55,500	37,500	184,500	123,000	76,875	61,500	42,000	27,000
R-1 <sup>h</sup>	NS <sup>d</sup>	UL	UL	24,000	16,000	24,000	16,000	61,500	41,000	25,625	20,500	12,000	7,000
	S13R												
	S1												
	SM												
R-2 <sup>h</sup>	NS <sup>d</sup>	UL	UL	24,000	16,000	24,000	16,000	61,500	41,000	25,625	20,500	12,000	7,000
	S13R												
	S1												
	SM												
R-3 <sup>h</sup>	NS <sup>d</sup>	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL
	S13D												
	S13R												
	S1												
	SM												
R-4 <sup>h</sup>	NS <sup>d</sup>	UL	UL	24,000	16,000	24,000	16,000	61,500	41,000	25,625	20,500	12,000	7,000
	S13D												
	S13R												
	S1												
	SM												
S-1	NS	UL	48,000	26,000	17,500	26,000	17,500	76,500	51,000	31,875	25,500	14,000	9,000
	S1	UL	192,000	104,000	70,000	104,000	70,000	306,000	204,000	127,500	102,000	56,000	36,000
	SM	UL	144,000	78,000	52,500	78,000	52,500	229,500	153,000	95,625	76,500	42,000	27,000
S-2	NS	UL	79,000	39,000	26,000	39,000	26,000	115,500	77,000	48,125	38,500	21,000	13,500
	S1	UL	316,000	156,000	104,000	156,000	104,000	462,000	308,000	192,500	154,000	84,000	54,000
	SM	UL	237,000	117,000	78,000	117,000	78,000	346,500	231,000	144,375	115,500	63,000	40,500
U	NS <sup>i</sup>	UL	35,500	19,000	8,500	14,000	8,500	54,000	36,000	22,500	18,000	9,000	5,500
	S1	UL	142,000	76,000	34,000	56,000	34,000	216,000	144,000	90,000	72,000	36,000	22,000
	SM	UL	106,500	57,000	25,500	42,000	25,500	162,000	108,000	67,500	54,000	27,000	16,500

For SI: 1 square foot = 0.0929 m<sup>2</sup>.

UL = Unlimited; NP = Not Permitted; NS = Buildings not equipped throughout with an automatic sprinkler system; S1 = Buildings a maximum of one story above grade plane equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; SM = Buildings two or more stories above grade plane equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2; S13D = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.3.

a. See Chapters 4 and 5 for specific exceptions to the allowable height in this chapter.

b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

- c. New Group H occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.5.
- d. The NS value is only for use in evaluation of existing building area in accordance with the International Existing Building Code.
- e. New Group I-1 and I-3 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6. For new Group I-1 occupancies, Condition 1, see Exception 1 of Section 903.2.6.
- f. New and existing Group I-2 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6 and Section 1103.5 of the International Fire Code.
- g. New Group I-4 occupancies see Exceptions 2 and 3 of Section 903.2.6.
- h. New Group R occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.8.
- i. The maximum allowable area for a single-story nonsprinklered Group U greenhouse is permitted to be 9,000 square feet, or the allowable area shall be permitted to comply with Table C102.1 of Appendix C.

*Revise as follows:*

508.4.4.1 **Construction.** Required separations shall be fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both, so as to completely separate adjacent occupancies. Mass timber elements serving as fire barriers or horizontal assemblies to separate occupancies in Type IV-B or IV-C construction shall be separated from the interior of the building with an approved thermal barrier consisting of gypsum board that is not less than 12 inch (12.7 mm) in thickness or a material that is tested in accordance with and meets the acceptance criteria of both the Temperature Transmission Fire Test and the Integrity Fire Test of NFPA 275.

*Add new text as follows:*

509.4.1.1 **Type IV-B and IV-C construction.** Where Table 509 specifies a fire-resistance-rated separation, mass timber elements serving as fire barriers or horizontal assemblies in Type IV-B or IV-C construction shall be separated from the interior of the incidental use with an approved thermal barrier consisting of gypsum board that is not less than 12 inch (12.7 mm) in thickness or a material that is tested in accordance with and meets the acceptance criteria of both the Temperature Transmission Fire Test and the Integrity Fire Test of NFPA 275.

## CHAPTER 6

### TYPES OF CONSTRUCTION

*Revise as follows:*

#### 602.4 Type IV.

Type IV construction is that type of construction in which the building elements are mass timber or noncombustible materials and have fire resistance ratings in accordance with Table 601. Mass timber elements shall meet the fire resistance rating requirements of this section based on either the fire resistance rating of the noncombustible protection, the mass timber, or a combination of both and shall be determined in accordance with Section 703.2 or 703.3. The minimum dimensions and permitted materials for building elements shall comply with the provisions of this section and Section 2304.11. Mass timber elements of Type IV-A, IV-B and IV-C construction shall be protected with noncombustible protection applied directly to the mass timber in accordance with Sections 602.4.1 through 602.4.3. The time assigned to the noncombustible protection shall be determined in accordance with Section 703.8 and comply with Section 722.7.

Cross laminated timber shall be labeled as conforming to PRG 320-19 as reference in Section 2303.1.4.

Exterior load bearing walls and nonload-bearing walls shall be mass timber construction, or shall be of noncombustible construction.

**Exception:** Exterior load-bearing walls and nonload-bearing walls of Type IV-HT Construction in accordance with Section 602.4.4.

The interior building elements, including nonload-bearing walls and partitions, shall be of mass timber construction or of noncombustible construction.

**Exception:** Interior building elements and nonload-bearing walls and partitions of Type IV-HT Construction in accordance with Section 602.4.4.

Combustible concealed spaces are not permitted except as otherwise indicated in Sections 602.4.1 through 602.4.4. Combustible stud spaces within light frame walls of Type IV-HT construction shall not be considered concealed spaces, but shall comply with Section 718.

In buildings of Type IV-A, IV-B and IV-C, construction with an occupied floor located more than 75 feet (22 860 mm) above the lowest level of fire department access, up to and including 12 stories or 180 feet (54 864 mm) above grade plane, mass timber interior exit and elevator hoistway enclosures shall be protected in accordance with Section 602.4.1.2. In buildings greater than 12 stories or 180 feet (54 864 mm) above grade plane, interior exit and elevator hoistway enclosures shall be constructed of non-combustible materials.

*Add new text as follows:*

**602.4.1 Type IV-A.** Building elements in Type IV-A construction shall be protected in accordance with Sections 602.4.1.1 through 602.4.1.6. The required fire resistance rating of noncombustible elements and protected mass timber elements shall be determined in accordance with Section 703.2 or Section 703.3.

**602.4.1.1 Exterior protection.** The outside face of exterior walls of mass timber construction shall be protected with noncombustible protection with a minimum assigned time of 40 minutes as determined in Table 722.7.1(1). Components of the exterior wall covering shall be of noncombustible material except water resistive barriers having a peak heat release rate of less than 150 kW/m<sup>2</sup>, a total heat release of less than 20 MJ/m<sup>2</sup> and an effective heat of combustion of less than 18 MJ/kg as determined in accordance with ASTM E1354 and having a flame spread index of 25 or less and a smoke-developed index of 450 or less as determined in accordance with ASTM E84 or UL 723. The ASTM E1354 test shall be conducted on specimens at the thickness intended for use, in the horizontal orientation and at an incident radiant heat flux of 50 kW/m<sup>2</sup>.

**602.4.1.2 Interior protection.** Interior faces of all mass timber elements, including the inside faces of exterior mass timber walls and mass timber roofs, shall be protected with material complying with Section 703.5.

**602.4.1.2.1 Protection time.** Noncombustible protection shall contribute a time equal to or greater than times assigned in Table 722.7.1(1), but not less than 80 minutes. The use of materials and their respective protection contributions listed in Table 722.7.1(2) shall be permitted to be used for compliance with Section 722.7.1.

**602.4.1.3 Floors.** The floor assembly shall contain a noncombustible material not less than 1 inch (25 mm) in thickness above the mass timber. Floor finishes in accordance with Section 804 shall be permitted on top of the noncombustible material. The underside of floor assemblies shall be protected in accordance with 602.4.1.2.

**602.4.1.4 Roofs.** The interior surfaces of roof assemblies shall be protected in accordance with Section 602.4.1.2. Roof coverings in accordance with Chapter 15 shall be permitted on the outside surface of the roof assembly.

**602.4.1.5 Concealed spaces.** Concealed spaces shall not contain combustibles other than electrical, mechanical, fire protection, or plumbing materials and equipment permitted in plenums in accordance with Section 602 of the

International Mechanical Code, and shall comply with all applicable provisions of Section 718. Combustible construction forming concealed spaces shall be protected in accordance with Sections 602.4.1.2.

602.4.1.6 **Shafts.** Shafts shall be permitted in accordance with Section 713 and Section 718. Both the shaft side and room side of mass timber elements shall be protected in accordance with Section 602.4.1.2.

602.4.2 **Type IV-B.** Building elements in Type IV-B construction shall be protected in accordance with Sections 602.4.2.1 through 602.4.2.6. The required fire resistance rating of noncombustible elements or mass timber elements shall be determined in accordance with Section 703.2 or Section 703.3.

602.4.2.1 **Exterior protection.** The outside face of exterior walls of mass timber construction shall be protected with non-combustible protection with a minimum assigned time of 40 minutes as determined in Table 722.7.1(1). Components of the exterior wall covering shall be of noncombustible material except water resistive barriers having a peak heat release rate of less than 150 kW/m<sup>2</sup>, a total heat release of less than 20 MJ/m<sup>2</sup> and an effective heat of combustion of less than 18 MJ/kg as determined in accordance with ASTM E1354, and having a flame spread index of 25 or less and a smoke-developed index of 450 or less as determined in accordance with ASTM E84 or UL 723. The ASTM E1354 test shall be conducted on specimens at the thickness intended for use, in the horizontal orientation and at an incident radiant heat flux of 50 kW/m<sup>2</sup>.

602.4.2.2 **Interior protection.** Interior faces of all mass timber elements, including the inside face of exterior mass timber walls and mass timber roofs, shall be protected, as required by this section, with materials complying with Section 703.5.

602.4.2.2.1 **Protection time.** Noncombustible protection shall contribute a time equal to or greater than times assigned in Table 722.7.1(1), but not less than 80 minutes. The use of materials and their respective protection contributions listed in Table 722.7.1(2) shall be permitted to be used for compliance with Section 722.7.1.

602.4.2.2.2 **Protected area.** Interior faces of all mass timber elements, including the inside face of exterior mass timber walls and mass timber roofs, shall be protected in accordance with Section 602.4.2.2.1.

**Exceptions:** Unprotected portions of mass timber ceilings and walls complying with Section 602.4.2.2.4 and the following:

1. Unprotected portions of mass timber ceilings and walls complying with one of the following:

1.1 Unprotected portions of mass timber ceilings, including attached beams, shall be permitted and shall be limited to an area equal to 20 percent of the floor area in any dwelling unit or fire area.

1.2 Unprotected portions of mass timber walls, including attached columns, shall be permitted and shall be limited to an area equal to 40 percent of the floor area in any dwelling unit or fire area.

1.3 Unprotected portions of both walls and ceilings of mass timbers, including attached columns and beams, in any dwelling unit or fire area shall be permitted in accordance with Section 602.4.2.2.3.

2. Mass timber columns and beams that are not an integral portion of walls or ceilings, respectively, shall be permitted to be unprotected without restriction of either aggregate area or separation from one another.

602.4.2.2.3 **Mixed unprotected areas.** In each dwelling unit or fire area, where both portions of ceilings and portions of walls are unprotected, the total allowable unprotected area shall be determined in accordance with Equations 6-1.

**(Equation 6-1)**

$$(U_{tc}/U_{ac}) + (U_{tw}/U_{aw}) \leq 1$$

where:

$U_{tc}$  = Total unprotected mass timber ceiling areas

$U_{ac}$  = Allowable unprotected mass timber ceiling area conforming to Exception 1.1 of Section 602.4.2.2.2.

$U_{tw}$  = Total unprotected mass timber wall areas

$U_{aw}$  = Allowable unprotected mass timber wall area conforming to Exception 1.2 of Section 602.4.2.2.2.

**602.4.2.2.4 Separation distance between unprotected mass timber elements.** In each dwelling unit or fire area, unprotected portions of mass timber walls and ceilings shall be not less than 15 feet (4572 mm) from unprotected portions of other walls and ceilings, measured horizontally along the ceiling and from other unprotected portions of walls measure horizontally along the floor.

**602.4.2.3 Floors.** The floor assembly shall contain a noncombustible material not less than 1 inch (25 mm) in thickness above the mass timber. Floor finishes in accordance with Section 804 shall be permitted on top of the noncombustible material. The underside of floor assemblies shall be protected in accordance with Section 602.4.1.2.

**602.4.2.4 Roofs.** The interior surfaces of roof assemblies shall be protected in accordance with Section 602.4.2.2 except, in nonoccupiable spaces, they shall be treated as a concealed space with no portion left unprotected. Roof coverings in accordance with Chapter 15 shall be permitted on the outside surface of the roof assembly.

**602.4.2.5 Concealed spaces.** Concealed spaces shall not contain combustibles other than electrical, mechanical, fire protection, or plumbing materials and equipment permitted in plenums in accordance with Section 602 of the International Mechanical Code, and shall comply with all applicable provisions of Section 718. Combustible construction forming concealed spaces shall be protected in accordance with Section 602.4.1.2.

**602.4.2.6 Shafts.** Shafts shall be permitted in accordance with Section 713 and Section 718. Both the shaft side and room side of mass timber elements shall be protected in accordance with Section 602.4.1.2.

**602.4.3 Type IV-C.** Building elements in Type IV-C construction shall be protected in accordance with Sections 602.4.3.1 through 602.4.3.6. The required fire resistance rating of building elements shall be determined in accordance with Section 703.2 or Section 703.3.

**602.4.3.1 Exterior protection.** The exterior side of walls of combustible construction shall be protected with noncombustible protection with a minimum assigned time of 40 minutes as determined in Table 722.7.1(1). Components of the exterior wall covering shall be of noncombustible material except water resistive barriers having a peak heat release rate of less than 150 kW/m<sup>2</sup>, a total heat release of less than 20 MJ/m<sup>2</sup> and an effective heat of combustion of less than 18 MJ/kg as determined in accordance with ASTM E1354 and having a flame spread index of 25 or less and a smoke-developed index of 450 or less as determined in accordance with ASTM E84 or UL 723. The ASTM E1354 test shall be conducted on specimens at the thickness intended for use, in the horizontal orientation and at an incident radiant heat flux of 50 kW/m<sup>2</sup>.

**602.4.3.2 Interior protection.** Mass timber elements are permitted to be unprotected.

**602.4.3.3 Floors.** Floor finishes in accordance with Section 804 shall be permitted on top of the floor construction.

**602.4.3.4 Roofs.** Roof coverings in accordance with Chapter 15 shall be permitted on the outside surface of the roof assembly.

**602.4.3.5 Concealed spaces.** Concealed spaces shall not contain combustibles other than electrical, mechanical, fire protection, or plumbing materials and equipment permitted in plenums in accordance with Section 602 of the International Mechanical Code, and shall comply with all applicable provisions of Section 718. Combustible construction forming concealed spaces shall be protected with noncombustible protection with a minimum assigned time of 40 minutes as specified in Table 722.7.1(1).

602.4.3.6 **Shafts.** Shafts shall be permitted in accordance with Section 713 and 718. Shafts and elevator hoistway and interior exit stairway enclosures shall be protected with noncombustible protection with a minimum assigned time of 40 minutes as specified in Table 722.7.1(1), on both the inside of the shaft and the outside of the shaft.

602.4.4 **Type IV-HT.** Type IV-HT (Heavy Timber) construction is that type of construction in which the exterior walls are of noncombustible materials and the interior building elements are of solid wood, laminated heavy timber or structural composite lumber (SCL), without concealed spaces. The minimum dimensions for permitted materials including solid timber, glued-laminated timber, structural composite lumber (SCL) and cross laminated timber (CLT) and details of Type IV construction shall comply with the provisions of this section and Section 2304.11. Exterior walls complying with Section 602.4.4.1 or 602.4.4.2 shall be permitted. Interior walls and partitions not less than 1-hour fire resistance rating or heavy timber conforming with Section 2304.11.2.2 shall be permitted.

*Renumber and Revise as follows:*

602.4.1 to **602.4.4.1 Fire-retardant-treated wood in exterior walls.** Fire-retardant-treated wood framing and sheathing complying with Section 2303.2 shall be permitted within exterior wall assemblies not less than 6 inches (152 mm) in thickness with a 2-hour rating or less.

602.4.2 to **602.4.4.2 Cross-laminated timber in exterior walls.** Cross-laminated timber complying with Section 2303.1.4 shall be permitted within exterior wall assemblies not less than 6 inches (152 mm) in thickness with a 2-hour rating or less, provided the exterior surface of the cross-laminated timber is protected by one of the following:

1. Fire-retardant-treated wood sheathing complying with Section 2303.2 and not less than  $1\frac{5}{32}$  inch (12 mm) thick; or
2. Gypsum board not less than  $\frac{1}{2}$  inch (12.7 mm) thick; or
3. A noncombustible material.

**602.4.3 to 602.4.4.3 Exterior structural members.** Where a horizontal separation of 20 feet (6096 mm) or more is provided, wood columns and arches conforming to heavy timber sizes complying with Section 2304.11 shall be permitted to be used externally.

**TABLE 601**

**FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (HOURS)**

BUILDING ELEMENT	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
	A	B	A	B	A	B	A	B	C	HT	A	B
Primary structural frame <sup>f</sup> (see Section 202)	3 <sup>a,b</sup>	2 <sup>a,b</sup>	1 <sup>b</sup>	0	1 <sup>b</sup>	0	<u>3</u> <sup>a</sup>	<u>2</u> <sup>a</sup>	<u>2</u> <sup>a</sup>	HT	1 <sup>b</sup>	0
Bearing walls	3	2	1	0	2	2	<u>3</u>	<u>2</u>	<u>2</u>	2	1	0
Exterior <sup>e,f</sup>	3 <sup>a</sup>	2 <sup>a</sup>	1	0	1	0	<u>3</u>	<u>2</u>	<u>2</u>	1/HT	1	0
Interior												
Nonbearing walls and partitions	See Table 602											
Exterior												
Nonbearing walls and partitions	0	0	0	0	0	0	<u>0</u>	<u>0</u>	<u>0</u>	See Section 2304.11.2	0	0
Interior <sup>d</sup>												

BUILDING ELEMENT	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
	A	B	A	B	A	B	A	B	C	HT	A	B
Floor construction and associated secondary members (see Section 202)	2	2	1	0	1	0	<u>2</u>	<u>2</u>	<u>2</u>	HT	1	0
Roof construction and associated secondary members (see Section 202)	1 <sup>1/2</sup> <sup>b</sup>	1 <sup>b,c</sup>	1 <sup>b,c</sup>	0 <sup>c</sup>	1 <sup>b,c</sup>	0	<u>1 <sup>1/2</sup></u>	<u>1</u>	<u>1</u>	HT	1 <sup>b,c</sup>	0

For SI: 1 foot = 304.8 mm.

a. Roof supports: Fire-resistance ratings of primary structural frame and bearing walls are permitted to be reduced by 1 hour where supporting a roof only.

b. Except in Group F-1, H, M and S-1 occupancies, fire protection of structural members in roof construction shall not be required, including protection of primary structural frame members, roof framing and decking where every part of the roof construction is 20 feet or more above any floor immediately below. Fire-retardant-treated wood members shall be allowed to be used for such unprotected members.

c. In all occupancies, heavy timber complying with Section 2304.11 shall be allowed where a 1-hour or less fire-resistance rating is required.

d. Not less than the fire-resistance rating required by other sections of this code.

e. Not less than the fire-resistance rating based on fire separation distance (see Table 602).

f. Not less than the fire-resistance rating as referenced in Section 704.10.

**TABLE 602**

**FIRE-RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE <sup>a,d,g</sup>**

FIRE SEPARATION DISTANCE = X (feet)	TYPE OF CONSTRUCTION	OCCUPANCY GROUP H <sup>c</sup>	OCCUPANCY GROUP F-1, M, S-1 <sup>f</sup>	OCCUPANCY GROUP A, B, E, F-2, I, R <sup>i</sup> , S-2, U <sup>h</sup>
X < 5 <sup>b</sup>	All	3	2	1
5 ≤ X < 10	IA, IV-A	3	2	1
	Others	2	1	1
10 ≤ X < 30	IA, IB, IV-A, IV-B	2	1	1 <sup>c</sup>
	IIB, VB	1	0	0
	Others	1	1	1 <sup>c</sup>
X ≥ 30	All	0	0	0

For SI: 1 foot = 304.8 mm.

a. Load-bearing exterior walls shall also comply with the fire-resistance rating requirements of Table 601.

- b. See Section 706.1.1 for party walls.
- c. Open parking garages complying with Section 406 shall not be required to have a fire-resistance rating.
- d. The fire-resistance rating of an exterior wall is determined based upon the fire separation distance of the exterior wall and the story in which the wall is located.
- e. For special requirements for Group H occupancies, see Section 415.6.
- f. For special requirements for Group S aircraft hangers, see Section 412.3.1.
- g. Where Table 705.8 permits nonbearing exterior walls with unlimited area of unprotected openings, the required fire-resistance rating for the exterior walls is 0 hours.
- h. For a building containing only a Group U occupancy private garage or carport, the exterior wall shall not be required to have a fire-resistance rating where the fire separation distance is 5 feet (1523 mm) or greater.
- i. For a Group R-3 building of Type II-B or Type V-B construction, the exterior wall shall not be required to have a fire-resistance rating where the fire separation distance is 5 feet (1523 mm) or greater.

## CHAPTER 7

### FIRE AND SMOKE PROTECTION FEATURES

*Add new text as follows:*

**703.8 Determination of noncombustible protection time contribution.** The time, in minutes, contributed to the fire resistance rating by the noncombustible protection of mass timber building elements, components, or assemblies, shall be established through a comparison of assemblies tested using procedures set forth in ASTM E119 or UL263. The test assemblies shall be identical in construction, loading, and materials, other than the noncombustible protection. The two test assemblies shall be tested to the same criteria of structural failure with the following conditions:

1. Test Assembly 1 shall be without protection.
2. Test Assembly 2 shall include the representative noncombustible protection. The protection shall be fully defined in terms of configuration details, attachment details, joint sealing details, accessories and all other relevant details.

The noncombustible protection time contribution shall be determined by subtracting the fire resistance time, in minutes, of Test Assembly 1 from the fire resistance time, in minutes, of Test Assembly 2.

*Add new text as follows:*

**703.9 Sealing of adjacent mass timber elements.** In buildings of Type IV-A, IV-B and IV-C construction, sealant or adhesive shall be provided to resist the passage of air in the following locations:

1. At abutting edges and intersections of mass timber building elements required to be fire-resistance rated.
2. At abutting intersections of mass timber building elements and building elements of other materials where both are required to be fire-resistance rated.

Sealants shall meet the requirements of ASTM C920. Adhesives shall meet the requirements of ASTM D3498.

**Exception:** Sealants or adhesives need not be provided where they are not a required component of a tested fire-resistance-rated assembly.



*Revise as follows:*

**705.2.3.1 Balconies and similar projections.** Balconies and similar projections of combustible construction other than fire-retardant-treated wood shall be fire-resistance rated where required by Table 601 for floor construction or shall be of heavy timber construction in accordance with Section 2304.11. The aggregate length of the projections shall not exceed 50 percent of the building's perimeter on each floor.

**Exceptions:**

1. On buildings of Types I and II construction, three stories or less above grade plane, fire-retardant-treated wood shall be permitted for balconies, porches, decks and exterior stairways not used as required exits.
2. Untreated wood and plastic composites that comply with ASTM D7032 and Section 2612 are permitted for pickets, rails and similar guard components that are limited to 42 inches (1067 mm) in height.
3. Balconies and similar projections on buildings of Types III, IV-HT and V construction shall be permitted to be of Type V construction and shall not be required to have a fire-resistance rating where sprinkler protection is extended to these areas.
4. Where sprinkler protection is extended to the balcony areas, the aggregate length of the balcony on each floor shall not be limited.

*Revise as follows:*

**718.2.1 Fireblocking materials.** Fireblocking shall consist of the following materials:

1. Two-inch (51 mm) nominal lumber.
2. Two thicknesses of 1-inch (25 mm) nominal lumber with broken lap joints.
3. One thickness of 0.719-inch (18.3 mm) wood structural panels with joints backed by 0.719-inch (18.3 mm) wood structural panels.
4. One thickness of 0.75-inch (19.1 mm) particleboard with joints backed by 0.75-inch (19 mm) particleboard.
5. One-half-inch (12.7 mm) gypsum board.
6. One-fourth-inch (6.4 mm) cement-based millboard.
7. Batts or blankets of mineral wool, mineral fiber or other approved materials installed in such a manner as to be securely retained in place.
8. Cellulose insulation installed as tested for the specific application.
9. Mass timber complying with Section 2304.11.

*Add new text as follows:*

**722.7 Fire resistance rating of mass timber.** The required fire resistance of mass timber elements in Section 602.4 shall be determined in accordance with Section 703.2 or Section 703.3. The fire resistance rating of building elements shall be as required in Tables 601 and 602 and as specified elsewhere in this code. The fire resistance rating of the mass timber elements shall consist of the fire resistance of the unprotected element added to the protection time of the noncombustible protection.

**722.7.1 Minimum required protection.** Where required by Sections 602.4.1 through 602.4.3, noncombustible protection shall be provided for mass timber building elements in accordance with Table 722.7.1(1). The rating, in

minutes, contributed by the noncombustible protection of mass timber building elements, components, or assemblies, shall be established in accordance with Section 703.8. The protection contributions indicated in Table 722.7.1(2) shall be deemed to comply with this requirement where installed and fastened in accordance with Section 722.7.2.

**TABLE 722.7.1(1)**

**PROTECTION REQUIRED FROM NONCOMBUSTIBLE COVERING MATERIAL**

<b>REQUIRED FIRE-RESISTANCE RATING OF BUILDING ELEMENT PER TABLE 601 AND TABLE 602 (hours)</b>	<b>MINIMUM PROTECTION REQUIRED FROM NONCOMBUSTIBLE PROTECTION (minutes)</b>
1	40
2	80
3 or more	120

**TABLE 722.7.1(2)**

**PROTECTION PROVIDED BY NONCOMBUSTIBLE COVERING MATERIAL**

<b>NONCOMBUSTIBLE PROTECTION</b>	<b>PROTECTION CONTRIBUTION (minutes)</b>
1/2-inch Type X gypsum board	25
5/8-inch Type X gypsum board	40

**722.7.2 Installation of gypsum board noncombustible protection.** Gypsum board complying with Table 722.7.1(2) shall be installed in accordance with this section.

**722.7.2.1 Interior surfaces.** Layers of Type X gypsum board serving as noncombustible protection for interior surfaces of wall and ceiling assemblies determined in accordance with Table 722.7.1(1) shall be installed in accordance with the following:

1. Each layer shall be attached with Type S drywall screws of sufficient length to penetrate the mass timber at least 1-inch (25 mm) when driven flush with the paper surface of the gypsum board.

**Exception:** The third layer, where determined necessary by Section 722.7, shall be permitted to be attached with 1-inch (25 mm) No. 6 Type S drywall screws to furring channels in accordance with AISI S220.

2. Screws for attaching the base layer shall be 12 inches (305 mm) on center in both directions.

3. Screws for each layer after the base layer shall be 12 inches (305 mm) on center in both directions and offset from the screws of the previous layers by 4 inches (102 mm) in both directions.

4. All panel edges of any layer shall be offset 18 inches (457 mm) from those of the previous layer.

5. All panel edges shall be attached with screws sized and offset as in Items 1 through 4 and placed at least 1 inch (25 mm) but not more than 2 inches (51 mm) from the panel edge.

6. All panels installed at wall-to-ceiling intersections shall be installed such that ceiling panels are installed first and the wall panels are installed after the ceiling panel has been installed and is fitted tight to the ceiling panel. Where multiple layers are required, each layer shall repeat this process.

7. All panels installed at a wall-to-wall intersection shall be installed such that the panels covering an exterior wall or a wall with a greater fire resistance rating shall be installed first and the panels covering the other wall shall be

fitted tight to the panel covering the first wall. Where multiple layers are required, each layer shall repeat this process.

8. Panel edges of the face layer shall be taped and finished with joint compound. Fastener heads shall be covered with joint compound.

9. Panel edges protecting mass timber elements adjacent to unprotected mass timber elements in accordance with Section 602.4.2.2 shall be covered with 1 ¼-inch (32 mm) metal corner bead and finished with joint compound.

**722.7.2.2 Exterior surfaces.** Layers of Type X gypsum board serving as noncombustible protection for the outside of the exterior mass timber walls determined in accordance with Table 722.7.1(1) shall be fastened 12 inches (305 mm) on center each way and 6 inches (152 mm) on center at all joints or ends. All panel edges shall be attached with fasteners located at least 1 inch (25 mm) but not more than 2 inches (51 mm) from the panel edge. Fasteners shall comply with one of the following:

1. Galvanized nails of minimum 12 gage with a 7/16-inch (11 mm) inch head of sufficient length to penetrate the mass timber a minimum of 1 inch (25 mm).

2. Screws which comply with ASTM C1002 (Type S, W, or G) of sufficient length to penetrate the mass timber a minimum of 1 inch (25 mm).

## CHAPTER 14

### EXTERIOR WALLS

*Revise as follows:*

**1405.1.1 Types I, II, III and IV-HT construction.** On buildings of Types I, II, III and IV-HT construction, *exterior wall coverings* shall be permitted to be constructed of combustible materials, complying with the following limitations:

1. Combustible *exterior wall coverings* shall not exceed 10 percent of an *exterior wall* surface area where the *fire separation distance* is 5 feet (1524 mm) or less.

2. Combustible *exterior wall coverings* shall be limited to 40 feet (12 192 mm) in height above *grade plane*.

3. Combustible *exterior wall coverings* constructed of *fire-retardant-treated wood* complying with Section 2303.2 for exterior installation shall not be limited in wall surface area where the *fire separation distance* is 5 feet (1524 mm) or less and shall be permitted up to 60 feet (18 288 mm) in height above *grade plane* regardless of the *fire separation distance*.

4. Wood *veneers* shall comply with Section 1404.5.

## CHAPTER 17

### SPECIAL INSPECTIONS AND TESTS

*Add new text as follows:*

**1705.5.3 Mass Timber construction.** Special inspections of mass timber elements in Types IV-A, IV-B and IV-C construction shall be in accordance with Table 1705.5.3.

*Add new table as follows:*

#### **TABLE 1705.5.3**

## **REQUIRED SPECIAL INSPECTION OF MASS TIMBER CONSTRUCTION**

TYPE		CONTINUOUS SPECIAL INSPECTION	PERIODIC SPECIAL INSPECTION
1.	Inspection of anchorage and connections of mass timber construction to timber deep foundation systems.	—	X
2.	Inspect erection of mass timber construction.	—	X
3.	Inspection of connections where installation methods are required to meet design loads.		
	Threaded fasteners	Verify use of proper installation equipment.	X
		Verify use of pre-drilled holes where required.	X
		Inspect screws, including diameter, length, head type, spacing, installation angle and depth.	X
	Adhesive anchors installed in horizontal or upwardly inclined orientation to resist sustained tension loads.		X
	Adhesive anchors not defined in preceding cell.		—
	Bolted connections.		X
	Concealed connections.		X

*Add new text as follows:*

**1705.19 Sealing of mass timber** Periodic special inspections of sealants or adhesives shall be conducted where sealant or adhesive required by Section 703.9 is applied to mass timber building elements as designated in the approved construction documents.

## **CHAPTER 23**

### **WOOD**

*Add new text as follows:*

**2304.10.1 Connection fire-resistance rating.** Fire resistance ratings for connections in Type IV-A, IV-B, or IV-C construction shall be determined by one of the following:

1. Testing in accordance with Section 703.2 where the connection is part of the fire resistance test.
2. Engineering analysis that demonstrates that the temperature rise at any portion of the connection is limited to an average temperature rise of 250°F (139° C), and a maximum temperature rise of 325°F (181° C), for a time corresponding to the required fire resistance rating of the structural element being connected. For the purposes of this analysis, the connection includes connectors, fasteners, and portions of wood members included in the structural design of the connection.

## **CHAPTER 31**

### **SPECIAL CONSTRUCTION**

*Revise as follows:*

**3102.3 Type of construction.** Noncombustible membrane structures shall be classified as Type II B construction. Noncombustible frame or cable-supported structures covered by an approved membrane in accordance with Section 3102.3.1 shall be classified as Type II B construction. Heavy timber frame-supported structures covered by an approved membrane in accordance with Section 3102.3.1 shall be classified as Type IV-HT construction. Other membrane structures shall be classified as Type V construction.

**Exception:** Plastic less than 30 feet (9144 mm) above any floor used in greenhouses, where occupancy by the general public is not authorized, and for aquaculture pond covers is not required to meet the fire propagation performance criteria of Test Method 1 or Test Method 2, as appropriate, of NFPA 701.

*Revise as follows:*

3102.6.1.1 **Membrane.** A membrane meeting the fire propagation performance criteria of Test Method 1 or Test Method 2, as appropriate, of NFPA 710 shall be permitted to be used as the roof or as a skylight on buildings of Type II B, III, IV-HT and V construction, provided that the membrane is not less than 20 feet (6096 mm) above and floor, balcony or gallery.

## **CHAPTER 35**

### **REFERENCED STANDARDS**

*Revise as follows:*

## **APA**

APA - Engineered Wood Association  
7011 South 19<sup>th</sup> Street  
Tacoma WA 98466-7400

### **ANSI/APA PRG 320 -19: Standard for Performance-rated Cross-laminated Timber**

602.4, 2303.1.4

*Add new text as follows:*

## **ASTM**

ASTM International  
100 Barr Harbor Drive, P.O. Box C700  
West Conshohocken PA 19428-2959

### **D3498-03(2011): Standard Specification for Adhesives for Field-Gluing Plywood to Lumber Framing for Floor Systems**

703.9

## **AWC**

American Wood Council  
222 Catoctin Circle SE, Suite 201  
Leesburg, VA 20175

### **ANSI/AWC SDPWS-2021: Special Design Provisions for Wind and Seismic**

202, 2305.1, 2305.2, 2305.3, 2306.1, 2306.2, 2306.3, Table 2306.3(1), Table 2306.3(3), 2307.1

## **AWC**

American Wood Council  
222 Catoctin Circle SE, Suite 201  
Leesburg, VA 20175

## **APPENDIX D**

### **FIRE DISTRICTS**

*Revise Appendix D as follows:*

**D102.2.5 Structural fire rating.** Walls, floors, roofs and their supporting structural members shall be not less than 1-hour fire-resistance-rated construction.

**Exceptions:**

1. Buildings of Type IV-HT construction.
2. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
3. Automobile parking structures.
4. Buildings surrounded on all sides by a permanently open space of not less than 30 feet (9144 mm).
5. Partitions complying with Section 603.1, Item 11.



# **Georgia State Amendments to the International Building Code (2018 Edition)**



Georgia Department of Community Affairs  
Local Government Assistance Division  
60 Executive Park South, N.E.  
Atlanta, Georgia 30329-2231  
(404) 679-3118  
[www.dca.ga.gov](http://www.dca.ga.gov)

**Revised January 1, 2020**

## GEORGIA STATE MINIMUM STANDARD BUILDING CODE

### (INTERNATIONAL BUILDING CODE WITH GEORGIA STATE AMENDMENTS)

The International Building Code, 2018 Edition, published by the International Code Council, when used in conjunction with these Georgia State Amendments, shall constitute the official *Georgia State Minimum Standard Building Code*.

### GEORGIA STATE AMENDMENTS

#### CODE REFERENCE:

(d) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

(e) Replace all references to the *International Energy Conservation Code (IECC)* with references to the *Georgia State Minimum Standard Energy Code (IECC with Georgia State Supplements and Amendments)*. The *Georgia State Minimum Standard Energy Code* shall be used for efficiency and coefficient of performance ratings of equipment.

(f) Replace all references to the *International Existing Building Code (IEBC)* with references to Chapter 34 'Existing Buildings' of these Georgia State Amendments.

Note: By Georgia law, the *International Existing Building Code* is a permissive or optional State Minimum Standard Code. Consequently, the provisions contained in the *International Existing Building Code* are not mandatory or applicable unless specifically referenced in the adopting ordinance of local governments.

#### APPENDICES:

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

#### SCOPE:

The provisions of the *Georgia State Minimum Standard Building Code* shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception #1:** Detached one- and two-family *dwelling*s and multiple single-family *dwelling*s (townhouses separated by a 2-hour fire-resistance-rated wall assembly) not more than three *stories* above *grade plane* in height with a separate *means of egress* and their accessory structures shall comply with the *Georgia State Minimum Standard One and Two Family Dwelling Code (International Residential Code for One- and Two-Family Dwellings with Georgia State Amendments)*.

**Exception #2:** The following table titled 'Codes Reference Guide' establishes specific primary and supplementary code applications and is to be applied by the authority having jurisdiction.

CODES REFERENCE GUIDE		
Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.	IBC	LSC
Means of Egress	LSC	NONE



<b>CODES REFERENCE GUIDE</b>		
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinkler Systems minimum construction standard	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke Alarms and Smoke Detection Systems	State Statute and LSC	NONE
Portable Fire Extinguishers	IFC	NONE
Cooking Equipment	LSC and NFPA 96	NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

*\*Revise the International Building Code, 2018 Edition, to read as follows:*

## **CHAPTER 1**

### **SCOPE AND ADMINISTRATION**

\*Delete Chapter 1 'Scope and Administration' entirely without substitution. Chapter 1 to remain in the Code as a reference guide for local governments to use in development of their own *Administrative Procedures*.

(Effective January 1, 2020)

## **CHAPTER 2**

### **DEFINITIONS**

#### **SECTION 202**

### **DEFINITIONS**

\*Add definition of 'Elevator Door Opening Protective Device' to read as follows:

**ELEVATOR DOOR OPENING PROTECTIVE DEVICE.** Any device that either independently or in conjunction with the (elevator) door assembly allows the device(s) to meet the requirements of Sections 716.5.3 716, 716.2.2.1 and 3008.6.3.

(Effective January 1, 2020)

## **CHAPTER 3**

### **OCCUPANCY AND USE CLASSIFICATION**

#### **SECTION 308**

### **INSTITUTIONAL GROUP I**

\*Add a new Section 308.3.3 'Assisted living communities' to read as follows:

308.3.3 **Assisted living communities.** Assisted living communities, licensed by the State, housing twenty-five or more persons, meeting the Georgia State Fire Marshal's Office Life Safety Code requirements shall be deemed as equivalent compliance to the *International Building Code* Chapters 3, 4, 8, 9, and 10.

(Effective January 1, 2020)

## CHAPTER 4

### SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

#### SECTION 415

#### GROUPS H-1, H-2, H-3, H-4 AND H-5

\*Revise Section [F] 415.9.2 'Liquefied petroleum gas facilities' to read as follows:

[F] 415.9.2 **Liquefied petroleum gas facilities.** The construction and installation of liquefied petroleum gas facilities shall be in accordance with the requirements of this code, the *International Mechanical Code*, NFPA 58 and NFPA 54 as adopted by the Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-16, "Rules and Regulations for Liquefied Petroleum Gases".

(Effective January 1, 2020)

## CHAPTER 5

### GENERAL BUILDING HEIGHTS AND AREAS

#### SECTION 504

#### BUILDING HEIGHT AND NUMBER OF STORIES

\*Revise Table 504.4 'Allowable Number of Stories Above Grade Plane<sup>a,b</sup>' for the Occupancy Classification "I-1 Condition 2" as shown and add a new footnote "i" to read as follows:

<b>TABLE 504.4</b>										
<b>ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE <sup>a, b</sup></b>										
<b>OCCUPANCY CLASSIFICATION</b>	<b>TYPE OF CONSTRUCTION</b>									
	<b>SEE FOOTNOTES</b>	<b>TYPE I</b>		<b>TYPE II</b>		<b>TYPE III</b>		<b>TYPE IV</b>	<b>TYPE V</b>	
		<b>A</b>	<b>B</b>	<b>A</b>	<b>B</b>	<b>A</b>	<b>B</b>	<b>HT</b>	<b>A</b>	<b>B</b>
I-1 Condition 2	NS <sup>d, e</sup>	NP	NP	NP	NP	NP	NP	NP	NP	NP
	S <sup>j</sup>	UL	10	3	2	2	1	2	2	1

i. For all I-1 Condition 2, the building shall be protected throughout with an approved automatic sprinkler system, installed in accordance with NFPA 13 as adopted by the Rules and Regulations of the Safety Fire Commissioner. No increase in story height shall be permitted.

(Remainder of table unchanged)

(Effective January 1, 2020)

## CHAPTER 7

### FIRE AND SMOKE PROTECTION FEATURES

#### SECTION 706

## **FIRE WALLS**

\*Revise Section 706.2 'Structural stability' to read as follows:

706.2 **Structural stability.** *Fire walls* shall be designed and constructed to allow collapse of construction on either side without collapse of the wall under fire conditions and loading per Section 1607.15.2. *Fire walls* designed and constructed in accordance with NFPA 221 shall be deemed to comply with this section.

**Exception:** In Seismic Design Categories D through F, where double *fire walls* are used in accordance with NFPA 221, floor and roof sheathing not exceeding 3/4 inch (19.05 mm) thickness shall be permitted to be continuous through the wall assemblies of light frame construction.

(Effective January 1, 2020)

**\*Delete Exception to Section 706.3 'Materials' without substitution.**

(Effective January 1, 2020)

## **SECTION 713**

### **SHAFT ENCLOSURES**

\*Add new Section 713.14.1 'Designated floor lobbies for elevator return' to read as follows:

713.14.1 **Designated floor lobbies for elevator return.** New elevators, escalators, dumbwaiters, and moving walks shall be installed in accordance with the requirements of ASME A17.1, Safety Code for Elevators and Escalators. The designated elevator lobby of the designated floor and the designated alternate floor specified by ASME A17.1 Section 2.27.3 shall be separated from the remainder of the building by 1-hour fire-rated construction. In buildings equipped with automatic sprinkler protection, smoke partitions in accordance with the 'Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-3 Rules and Regulations for the State Minimum Fire Safety Standards' may be used in lieu of 1-hour fire-rated construction. Except health care occupancies, openings in the elevator lobby shall be limited to those required for access to the elevators from exit access corridors only. Elevator lobbies may be used as part of the means of egress from the building.

#### **Exceptions:**

1. Designated floor elevator lobbies are not required within an atrium.
2. Designated floor elevator lobbies are not required where elevators are installed on open exterior walls.
3. Designated floor elevator lobbies are not required where elevators are installed in open air parking structures.
4. Designated floor elevator lobbies are not required in buildings three stories or less with vertical openings protected in accordance with the applicable occupancy chapter.
5. Existing installations acceptable to the authority having jurisdiction.
6. For existing buildings or existing structures, reference Section 3401.7 (GA Amendments).

(Effective January 1, 2020)

## **CHAPTER 9**

### **FIRE PROTECTION AND LIFE SAFETY SYSTEMS**

## SECTION 903

### AUTOMATIC SPRINKLER SYSTEMS

\*Revise Section [F] 903.2.8 'Group R' to add exception to read as follows:

[F] 903.2.8 **Group R.**

**Exception:** Group R-1 and R-2 occupancies which meet the exceptions allowed by the Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-3 'Rules and Regulations for the State Minimum Fire Safety Standards' are exempt from this requirement.

(Effective January 1, 2020)

\*Revise Section [F] 903.2.8.1 'Group R-3' to read as follows:

[F] 903.2.8.1 **Group R-3.** An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group R-3 occupancies.

(Effective January 1, 2020)

\*Revise Section [F] 903.2.8.2 'Group R-4, Condition 1' to read as follows:

[F] 903.2.8.2 **Group R-4, Condition 1.** An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group R-4, Condition 1 occupancies.

(Effective January 1, 2020)

\*Revise Section [F] 903.2.8.4 'Care facilities' to read as follows:

[F] 903.2.8.4 **Care facilities.** An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in care facilities with five or fewer individuals in a single-family dwelling.

(Effective January 1, 2020)

\*Revise Section [F] 903.3.1.3 'NFPA 13D sprinkler systems' to read as follows:

[F] 903.3.1.3 **NFPA 13D sprinkler systems.** *Automatic sprinkler systems* installed in one- and two-family dwellings; and townhouses separated by 2 hour fire walls shall be permitted to be installed throughout in accordance with NFPA 13D.

(Effective January 1, 2020)

## SECTION 909

### SMOKE CONTROL SYSTEMS

\*Delete Section 909.21.1 'Pressurization requirements' entirely and substitute to read as follows:

909.21.1 **Pressurization requirements.** The system shall be designed such that the maximum pressure differential shall not restrict or prohibit the free operation of the elevated cab and all hoistway doors serving all levels of the building. The air shall not be introduced into the hoistway in such a manner as to cause erratic operation by impingement of traveling cables, selector tapes, governor ropes, compensating ropes, and other components sensitive to excessive movement or deflection.

**Exception:** In existing buildings, when testing existing elevator pressurization systems, they shall be certified to ensure a minimum positive pressure, subject to the approval of the authority having jurisdiction. This pressure shall be measured at the midpoint of each hoistway door, with all elevator cars at the floor of recall and all hoistway doors on the floor of recall open and all other hoistway doors closed. The opening and closing of hoistway doors at each level must be demonstrated during this test. The supply air intake shall be from an outside, uncontaminated source.

(Effective January 1, 2020)

## **CHAPTER 11**

### **ACCESSIBILITY**

\*Delete Chapter 11 'Accessibility' entirely without substitution.

{Cross-reference in State law: Title 30, Chapter 3 of the Official Code of Georgia Annotated (O.C.G.A) and the Rules and Regulations of the Georgia Safety Fire Commissioner.}

(Effective January 1, 2020)

## **CHAPTER 14**

### **EXTERIOR WALLS**

#### **SECTION 1404**

##### **INSTALLATION OF WALL COVERINGS**

\*Add new Section [BS] 1404.19 'Installation of wall coverings' to read as follows:

[BS] 1404.19 **Installation of wall coverings.** Except masonry veneer, wall cladding shall be installed a minimum of 6 inches above the finished earth grade, or a minimum of 2 inches above paved areas to provide a clear, visible inspection gap.

(Effective January 1, 2020)

## **CHAPTER 17**

### **SPECIAL INSPECTIONS AND TESTS**

#### **SECTION 1701**

##### **GENERAL**

\*Add new Section 1701.2 'Construction documents' to read as follows:

1701.2 **Construction documents.** The *construction documents* for special inspections shall include:

1. The statement of special inspections in accordance with Section 1704.3.
2. The following statement:

"Special inspection reports and a final report in accordance with Section 1704.2.4 shall be submitted to the building official prior to the time that phase of the work is approved for occupancy."

(Effective January 1, 2020)

\*Add new Section 1701.3 'Guidelines' to read as follows:

**1701.3 Guidelines.** The local building official or authority having jurisdiction shall be authorized to use ACEC/SEAOG SI GL 01, Georgia Special Inspections Guidelines, in part or in whole for the purposes of implementing and enforcing the provisions of Chapter 17, 'Special Inspections and Tests', and/or establishing a Special Inspections program for their jurisdiction.

(Effective January 1, 2020)

## **SECTION 1704**

### **SPECIAL INSPECTIONS AND TESTS,**

### **CONTRACTOR RESPONSIBILITY AND**

### **STRUCTURAL OBSERVATION**

\*Revise Section 1704.2 'Special inspections and tests' to read as follows:

**1704.2 Special inspections and tests.** Where application is made to the *building official* for construction as described in this section, the owner or the *registered design professional in responsible charge* acting as the owner's agent, other than the contractor, shall employ one or more *approved agencies* to provide *special inspections* and tests during construction on the types of work specified in Section 1705. These inspections are in addition to the inspections by the *building official* identified in Section 110.

#### **Exceptions:**

1. *Special inspections* are not required for construction of a minor nature that does not require the practice of professional engineering or architecture, as defined by Georgia statutes and regulations governing the professional registration and certification of engineers or architects or as warranted by conditions in the jurisdiction as *approved* by the *building official*.
2. Unless otherwise required by the *building official*, *special inspections* and tests are not required for Group U occupancies that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
3. *Special inspections* and tests are not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.1.2 or the conventional light-frame construction provisions of Section 2308.

(Effective January 1, 2020)

\*Revise Section 1704.2.1 'Special inspector qualifications' to read as follows:

**1704.2.1 Special inspector qualifications.** The special inspector shall provide written documentation to the *building official* demonstrating his or her competence and relevant experience or training. Experience or training shall be considered relevant when the documented experience or training is related in complexity to the same type of *special inspection* activities for projects of similar complexity and material qualities. The special inspector shall be qualified in accordance with Table 1704.2. These qualifications are in addition to qualifications specified in other sections of this code.

The *registered design professional in responsible charge* and engineers of record involved in the design of the project are permitted to act as the *approved agency* and their personnel are permitted to act as the special inspector for the work designed by them, provided they qualify as special inspectors.

(Effective January 1, 2020)

\*Add new Table 1704.2 'Minimum Special Inspector Qualifications' to read as follows:

<b>TABLE 1704.2 MINIMUM SPECIAL INSPECTOR QUALIFICATIONS</b>			
<b>Category of Testing and Inspection</b>	<b>Minimum Qualifications (refer to key at end of Table)</b>		
	<b>Shop Testing or Inspection</b>	<b>Field Testing or Inspection</b>	<b>Review Testing, Certification &amp; Lab Reports</b>
<b>1704.2.5 Inspection of Fabricators</b>			
Pre-cast concrete	A, C, E		
Structural steel construction	C, F, G		
Wood construction	A		
Cold formed metal construction	A		
<b>1705.2, 1705.10, 1705.11 &amp; 1705.12 Steel Construction</b>			
Verification of welding consumables, filler metals, procedure specifications, procedure qualification records and personnel performance qualification records			C, F
Nondestructive testing of welding	G	G	
Inspection of welding	C, F	C, F	
Verification of fabricator and erector documents as listed in AISC 360, chapter N, paragraph 3.2			A, C
Material verification of weld filler materials			C, F
Inspection of high strength bolting and steel frame joint details		A, C	
Inspection of embedment		A, C, F	
Inspection of steel elements of composite construction		A, C, F	
Verification of reinforcing steel, cold formed steel deck and truss materials			A, C, F
Inspection of reinforcing steel, cold formed steel deck and trusses		A, C	
<b>1705.3 &amp; 1705.12 Concrete Construction</b>			
Reinforcing placement, cast-in-place bolts, post installed anchors concrete and shotcrete placement and curing operations. Inspection of formwork for shape, location and dimensions		A, C, H	
Pre-stressing steel installation		A, C, D, E	
Erection of pre-cast concrete members		A, C, H	
Concrete field sampling and field testing		A, J	
Concrete strength testing		P	
Review certified mill reports			A, C

<b>TABLE 1704.2 MINIMUM SPECIAL INSPECTOR QUALIFICATIONS</b>			
<b>Category of Testing and Inspection</b>	<b>Minimum Qualifications (refer to key at end of Table)</b>		
	<b>Shop Testing or Inspection</b>	<b>Field Testing or Inspection</b>	<b>Review Testing, Certification &amp; Lab Reports</b>
Verify use of required design mix		A, I, J, H, C	
Pre-stressed (pre-tensioned) concrete force application	A, C, E		
Post-tensioned concrete force application		A, C, D	
Review of in-situ concrete strength, prior to stressing of tendons in post-tensioned concrete and prior to removal of shores and forms from beams and structural slabs		A, C, D, H	
Reinforcing steel weldability, reinforcing welding, weld filler material		C, F	
Testing of welding of reinforcing steel		G	
<b>1705.4 Masonry</b>			
Verification of $f'_m$ and $f'_{AAC}$		A, C, L, M	
Mortar joint construction, grout protection and placement, materials proportion, type/size/location of reinforcement, structural elements, anchorage, and connectors		A, C, K	
Sampling/testing of grout/mortar specimens		A, C, L, M	
Observe preparation of masonry prisms for testing of compressive strength of masonry, $f'_m$ and $f'_{AAC}$		A, C, K, L, M	
Inspection of welding of reinforcing steel		C, F	
Testing of welding of reinforcing steel		G	
<b>1705.6 &amp; 1804 Soils</b>			
Observe site preparation, fill placement testing of compaction for compliance with the construction documents for the project		A, C, I, N	
Observe test bearing materials below shallow foundations for ability to achieve design bearing capacity		A, C, N, I (Level III)	
Review compaction testing for compliance with the construction documents for the project			A



TABLE 1704.2 MINIMUM SPECIAL INSPECTOR QUALIFICATIONS			
Category of Testing and Inspection	Minimum Qualifications (refer to key at end of Table)		
	Shop Testing or Inspection	Field Testing or Inspection	Review Testing, Certification& Lab Reports
1705.5, 1705.10, 1705.11 & 1705.12 Wood Construction			
Observe structural panel sheathing, size of framing members, nail or staple diameter and length, number of fastener lines, and spacing of fastener lines and fasteners for compliance with construction documents for the project		A	
Observe temporary and permanent truss member restraint/bracing, field gluing of elements. Observe bolting, anchoring or other fastening of: shear walls, diaphragms, drag struts, braces and hold-downs		A	
1705.7, 1705.8, 1705.9 & 1810 Pile and Pier Foundations			
Observe installation		A, N	
Observe load tests		A	
1705.13 Sprayed Fire-Resistant Materials			
Observe surface conditions, application, average thickness and density of applied material, and cohesive/adhesive bond		A, C	
1705.14 Mastic and Intumescent Fire-Resistant Coatings			
Observe application compliance with AWCI 12-B		A, C	
1705.15 Exterior Insulation and Finish Systems			
Inspect EIFS systems		A, B, C, O	
1705.1 Special Cases			
Work of unusual or special nature		A, B, O	
1705.16 Fire-Resistant Penetrations and Joints	See Requirements of IBC Sections 1705.16.1 and 1705.16.2		
1705.17 Smoke Control	See Requirements of IBC Section 1705.17.2		
1705.10, 1705.11 & 1705.12 Seismic and Wind Resistance			
Periodic inspection of fabrication, installation and/or anchorage of building systems and components		A	
KEY:			
A. Georgia Professional Engineer (GA PE) competent in the specific task area or graduate of accredited engineering/engineering technology program under the direct supervision of a GA PE.			
B. Georgia Registered Architect (GA RA) or graduate of accredited architecture/architecture technology program under the direction of a GA RA.			
C. International Code Council (ICC) Special Inspector Certification specific to the particular material and testing methodology applicable to each Category of Testing and Inspection listed in the table.			
D. Post-tensioning Institute (PTI) Certification, Level 2, bonded or unbonded as applicable.			
E. Pre-stressed Concrete Institute (PCI) Certified Inspector.			
F. American Welding Society (AWS) Certified Welding Inspector (CWI) or AWS Certified Associate Welding Inspector working under the direct on-site supervision of a CWI.			

<p>G. American Society for Nondestructive Testing (ASNT) Level II certification, or a Level III certification if previously certified as a Level II in the particular material and testing methodology applicable to each Category of Testing and Inspection listed in the table.</p> <p>H. American Concrete Institute (ACI) Concrete Construction Special Inspector.</p> <p>I. National Institute for Certification in Engineering Technologies (NICET) Level II or higher certification specific to the particular material and testing methodology applicable to each Category of Testing and Inspection listed in the table.</p> <p>J. ACI Concrete Field Testing Technician with Grade 1 certification.</p> <p>K. Georgia Concrete and Products Association (GC&amp;PA) - Masonry Association of Georgia (MAG) Masonry Construction Inspector Certification.</p> <p>L. National Concrete Masonry Association (NCMA) Concrete Masonry Testing Procedures certification.</p> <p>M. GC&amp;PA - MAG Masonry Testing Technician certification.</p> <p>N. NICET Certified Engineering Technologist (CT).</p> <p>O. Other Qualified Special Inspector as approved by the Building Official.</p> <p>P. American Concrete Institute (ACI) Strength Testing Technician.</p> <p><b>Notes:</b></p> <p>1. The Special Inspector shall meet one of the minimum qualifications listed for the applicable Category of Testing and Inspection.</p> <p>2. Materials testing shall be done by an Approved Testing Agency meeting the requirements of IBC Section 1703 and ASTM E 329.</p>
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(Effective January 1, 2020)

\*Revise Section 1704.2.4 'Report requirement' to read as follows:

**1704.2.4 Report Requirement.** *Approved agencies* shall keep records of inspections and tests. The *approved agency* shall submit reports of special inspections and tests to the *building official* and to the *registered design professional in responsible charge*. Reports shall indicate that work inspected was or was not completed in conformance to *approved construction documents*. Discrepancies shall be brought to the immediate attention of the contractor for correction. If they are not corrected, the discrepancies shall be brought to the attention of the *building official* and to the *registered design professional in responsible charge* prior to the completion of that phase of the work. A final report documenting required *special inspections* and correction of any discrepancies noted in the inspections or tests, shall be submitted to the *building official* prior to the time that phase of the work is approved for occupancy.

(Effective January 1, 2020)

## CHAPTER 18

### SOILS AND FOUNDATIONS

#### SECTION 1810

##### DEEP FOUNDATIONS

\*Revise Section 1810.3.2.6 'Allowable stresses' title to read as follows:

**1810.3.2.6 Allowable axial stresses.** The allowable stresses for materials used in deep foundation elements shall not exceed those specified in Table 1810.3.2.6.

(Effective January 1, 2020)

\*Revise Table 1810.3.2.6 'Allowable Stresses for Materials Used in Deep Foundation Elements' title and item 4 'Other conditions' to read as follows:

**TABLE 1810.3.2.6****ALLOWABLE AXIAL STRESSES FOR MATERIALS USED IN DEEP FOUNDATION ELEMENTS**

<b>MATERIAL TYPE AND CONDITION</b>	<b>MAXIMUM ALLOWABLE <u>AXIAL</u> STRESS<sup>a</sup></b>
4. Non-prestressed reinforcement in tension	
Within micropiles	$0.6 f_y$
Other conditions	
For load combinations not including wind or seismic loads	$0.5 f_y \leq 24,000$ 30,000 psi
For load combinations including wind or seismic loads	$0.5 f_y \leq 40,000$ psi

Remainder of table and footnotes remain unchanged.

(Effective January 1, 2020)

**CHAPTER 29****PLUMBING SYSTEMS****SECTION 2902****MINIMUM PLUMBING FACILITIES**

\*Delete the requirements for "service sinks" from Table [P] 2902.1 'Minimum Number of Required Plumbing Fixtures<sup>a</sup>' without substitution.

(Effective January 1, 2020)

**CHAPTER 30****ELEVATORS AND CONVEYING SYSTEMS****SECTION 3001****GENERAL**

\*Revise Table 3001.3 'Elevators and Conveying Systems and Components' under 'STANDARDS' for Elevators, escalators, dumbwaiters, moving walks, material lifts to add the following new standards to read as follows:

**TABLE 3001.3****ELEVATORS AND CONVEYING SYSTEMS AND COMPONENTS**

<b>TYPE</b>	<b>STANDARDS</b>
Elevators, escalators, dumbwaiters, moving walks, material lifts	ANSI/ASSE A10.4, ANSI/ASSE A10.5

(Effective January 1, 2020)

**SECTION 3002****HOISTWAY ENCLOSURES**

\*Revise Section 3002.4 'Elevator car to accommodate ambulance stretcher' to add a new exception at the end of the section to read as follows:

#### 3002.4 Elevator car to accommodate ambulance stretcher.

**Exception:** Elevators with 50 feet or less of travel serving only one residence of a one- or two-family dwelling or townhouse shall be in compliance with ASME A17.1 as currently adopted and amended by the Georgia Office of Safety Fire Commissioner.

(Effective January 1, 2020)

### SECTION 3005

#### MACHINE ROOMS

\*Delete Section 3005.4 'Machine rooms, control rooms, machinery spaces and control spaces' and substitute to read as follows:

**3005.4 Machine rooms and machinery spaces.** Elevator machine rooms and machinery spaces shall be enclosed with *fire barriers* constructed in accordance with Section 707 or *horizontal assemblies* constructed in accordance with Section 711, or both. The *fire-resistance rating* shall be not less two hours. Openings in the *fire barriers* shall be protected with assemblies having a *fire protection rating* not less than that required for the hoistway enclosure doors.

**Exception:** Where machine rooms and machinery spaces do not meet the required *fire resistance rating*, they shall require sprinklers and shunt trip breaker in accordance with NFPA 72.

(Effective January 1, 2020)

\*Revise Section 3005.5 'Shunt trip' to read as follows:

**3005.5 Shunt trip.** Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, Section 6.16.4, Elevator Shutdown, shall be provided to disconnect automatically the main line power supply to the affected elevator prior to the application of water. If the means is located in the affected elevator machine room, it shall be in a water resistant enclosure. This means shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply. Machine rooms having a two-hour fire separation from the building and provided with smoke detection interconnected to the building fire alarm system are not required to be sprinklered.

(Effective January 1, 2020)

### CHAPTER 34

#### EXISTING STRUCTURES

\*Revise the title of Chapter 34 'Reserved' to read as 'Existing Buildings' and carry forward all the provisions from Chapter 34 'Existing Buildings' of the 2012 *International Building Code*.

(Effective January 1, 2020)

### SECTION 3401

#### GENERAL

\*Add new Section 3401.7 'Existing system conformance' to read as follows:

**3401.7 Existing system conformance.** The extent to which the existing mechanical, electrical, plumbing and life safety systems shall be made to conform to the requirements of the State Minimum Standard Codes for new construction shall be as follows unless otherwise required by this section:

1. When the estimated cost of the new work is less than fifty percent (50%) of the replacement cost of the existing system, the new work shall be brought in to conformance with the requirements of the State Minimum Standard Codes for new construction.
2. When the estimated cost of the new work is equal to or greater than fifty percent (50%) of the replacement cost of the existing system, the entire system shall be made to conform to the requirements of the State Minimum Standard Codes for new construction.
3. For essential service facilities Occupancy Category IV type buildings as defined by Table 1604.5, when the estimated cost of the new work is equal to or greater than thirty percent (30%) of the replacement cost of the existing system, the entire system shall be made to conform to the requirements of the State Minimum Standard Codes for new construction.

(Effective January 1, 2020)

## **SECTION 3408**

### **CHANGE OF OCCUPANCY**

\*Add new Section 3408.2.1 'Assisted living communities' to read as follows:

**3408.2.1 Assisted living communities.** Existing buildings or portions of buildings proposed as a change of occupancy to Assisted Living Communities, licensed by the State, housing twenty-five or more persons, shall be allowed to meet the Georgia State Fire Marshal's Office Life Safety Code requirements for primary equivalent compliance to the *International Building Code* Chapters 3, 4, 8, 9, and 10.

(Effective January 1, 2020)

## **CHAPTER 35**

### **REFERENCED STANDARDS**

\*Revise Chapter 35 'Referenced Standards' to add the following new reference standards to read as follows:

<b>ACEC/GA</b>			American Council of Engineering Companies of Georgia Peachtree Center, Harris Tower, Suite 700 233 Peachtree Street Atlanta, GA 30303
Standard reference number	Title	Referenced in code section number	
ACEC/SEAOG SI GL 01-12	Georgia Special Inspections Guidelines ( <a href="http://www.seaog.org/si.html">http://www.seaog.org/si.html</a> )	1704.2.1, GA Amendments	
<b>ASTM</b>			ASTM International 100 Barr Harbor Drive West Conshohocken, PA 19428-2859
Standard reference number	Title	Referenced in code section number	
E 329-11c	Standard Specification for Agencies Engaged in Construction Inspection, Testing, or Special Inspection	1704.2.1, GA Amendments	

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**ACEC/GA**

American Council of Engineering Companies of Georgia  
Peachtree Center, Harris Tower, Suite 700  
233 Peachtree Street  
Atlanta, GA 30303

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**ANSI/ASSE**

American Society of Safety Engineers  
520 N. Northwest Highway  
Park Ridge, IL 60068

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Standard reference number	Title	Referenced in code section number
A10.4-2016	Safety Requirements for Personnel Hoist and Employee Elevators on Construction and Demolition Sites	Table 3001.3, GA Amendments
A10.5-2013	Safety Requirements for Material Hoists	Table 3001.3, GA Amendments

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Remainder of reference standards remain unchanged.

(Effective January 1, 2020)

**APPENDIX O****DISASTER RESILIENT CONSTRUCTION**

\*The Department of Community Affairs hereby adopts Appendix O 'Disaster Resilient Construction' as optional. This document can be downloaded at <https://dca.ga.gov/local-government-assistance/construction-codes-industrialized-buildings/construction-codes>.

(Effective: January 1, 2020)



# Georgia State International Building Code

## Appendix O Disaster Resilient Construction (2020 Edition)



Georgia Department of Community Affairs  
Local Government Assistance Division  
60 Executive Park South, N.E.  
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(404) 679-3118  
[www.dca.ga.gov](http://www.dca.ga.gov)

January 1, 2020

## GEORGIA STATE INTERNATIONAL BUILDING CODE

### APPENDIX O

#### DISASTER RESILIENT CONSTRUCTION

**The INTERNATIONAL BUILDING CODE, 2018 Edition, published by the International Code Council, when used in conjunction with the Georgia State Amendments to the INTERNATIONAL BUILDING CODE, 2018 Edition and Appendix O Disaster Resilient Construction, shall constitute the official *Georgia State Minimum Standard Building Code*.**

#### FORWARD

##### Introduction

The Department of Community Affairs (DCA) was awarded a grant through the U.S. Department of Housing and Urban Development (HUD) to develop Disaster Resilient Building Code (DRBC) Appendices for the International Building Code (IBC) and the International Residential Code (IRC). The DRBC Appendices are optional regulations that local jurisdictions may adopt, in whole or in part, through local ordinance. A task force of stakeholders was appointed to look for opportunities to improve any code provisions relating to damage from hurricane, flood, and tornado disasters. In addition to the approved recommendations from the task force, the state has developed and will conduct a comprehensive training program for code enforcement officials on the importance, implementation and enforcement of the Disaster Resilient Construction Appendices.

The meetings for the Disaster Resilient Building Code Appendices Task Force were open to the public, interested individuals and organizations that desired participation. The technical content of currently published documents on flooding, high-wind construction, and storm shelters, were used and referenced. Those publications included documents of the International Code Council (ICC), American Society of Civil Engineers (ASCE), the Federal Emergency Management Agency (FEMA), Mitigation Assessment Team (MAT) Program, Georgia Emergency Management Agency/Homeland Security (GEMA), APA - The Engineered Wood Association, National Institute of Standards and Technology (NIST), National Oceanic and Atmospheric Administration (NOAA), National Science Foundation (NSF), The State of Florida, American Forest & Paper Association's American Wood Council, Southern Forest Products Association, NAHB Research Center, Insurance Institute for Business & Home Safety, and the Federal Alliance for Safe Homes.

##### Adoption

Local jurisdictions may adopt this entire appendix with chosen options or specific sections that apply to their communities through a local ordinance. The adopting ordinance must also be filed on record with DCA. A sample ordinance has been included in this document to assist the local jurisdictions with the adoption process. Recommended training is being offered to assist code enforcement officials in the implementation and enforcement of the appendices documents. Contact DCA at (404) 679-3118 or [www.dca.ga.gov](http://www.dca.ga.gov) for more information.

Neither The Disaster Resilient Building Code Appendices Task Force, its members nor those participating in the development of Appendix O Disaster Resilient Construction accept any liability resulting from compliance or noncompliance with the provisions of Appendix O Disaster Resilient Construction.

**The 2012 Disaster Resilient Building Code (DRBC) Appendices Task Force** was charged with the development of two appendices. One appendix is for the International Residential Code and the other appendix is for the International Building Code. These two appendices look for opportunities to improve any provisions relating to hurricane, flood, and tornado disasters. In addition to improving existing provisions in the codes, the task force also developed new provisions to be included in the appendices that address these issues. These appendices contain increased construction requirements for disaster resilience and are intended to be made available for adoption by local jurisdictions in the State of Georgia.



These appendices have reasonable and substantial connection with the public health, safety, and general welfare. In addition, the financial impact and costs associated with these appendices have been taken into consideration.

***Members:***

**Mr. Gregori Anderson, Chairman,** States Codes Advisory Committee (SCAC)

**Mr. David L. Adams, Vice Chairman,** States Codes Advisory Committee (SCAC)

**Mr. Bill Abballe, AIA,** American Institute of Architects (AIA) - Georgia Chapter

**Mr. John Hutton, P.E., S.E.,** American Council of Engineering Companies of Georgia (ACEC/G)

**Mr. Ron Anderson,** Code Consultant

**Mr. Lamar Smith,** Home Builders Association of Georgia (HBAG)

**Mr. Thomas Harper,** Georgia State Inspectors Association (GSIA)

**Mr. Tom Buttram,** Building Officials Association of Georgia (BOAG)

**Capt. Zane Newman,** Georgia State Fire Marshal's Office (Local Fire Official)

**Mr. Terry Lunn,** Georgia Emergency Management Agency (GEMA)

**Mr. Alan Giles, CFM,** Georgia Department of Natural Resources (EPD / Floodplain Management Unit)

**Mr. Tony Hebert,** HUD Georgia State Representative (Region IV Office)

**Mr. Jim C. Beck, Sr.,** Georgia Underwriting Association

**Mr. Tim Thornton,** Georgia Association of Realtors (GAR)

**Mr. Steve Harrison,** Building Owners and Managers Association - Georgia (BOMA)

**Mr. Tom Aderhold,** Georgia Apartment Association (GAA)

**Mr. Tim Bromley,** Accessibility Consultant - Georgia State ADA Coordinator's Office

**Mayor Mark Mathews,** Georgia Municipal Association (GMA)

**Commissioner Jeff Long,** Association of County Commissioners of Georgia (ACCG)

***Ad Hoc Subcommittee:***

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**Mr. Ron Anderson, Vice Chairman,** Code Consultant

**Mr. Stephen V. Skalko,** Concrete Industry

**Mr. Jeffrey B. Stone,** Wood Industry (AWC)

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**Mr. Calvin Jordan,** 2012 International Building Code Task Force Liaison, Code Consultant

***How to Use Appendix O Disaster Resilient Construction***

The appendix may be adopted in whole or in part by Local Jurisdictions to fit the needs of their community. The following sample ordinance has been provided to aid in the process of identifying Chapters and Sections of the appendix that may be adopted. The format easily allows for choosing to adopt, revise or delete individual Chapters and Sections. Download the MS Word (.doc) version from the DCA website to take advantage of the dropdown menu choices and edit ability features of the document. Note that in Chapter 3, choose one of three options for flood elevation. Only one option may be chosen and that option must be higher than what has been previously adopted and enforced by the jurisdiction. Also note that in Chapter 4, choose one of three options for increased wind load. Only one option may be chosen and that option must be higher than what has been previously adopted and enforced by the jurisdiction. The Sample Ordinance document takes into account the flood elevation option in Chapter 3 and the wind load option in Chapter 4 of this appendix.

**SAMPLE ORDINANCE FOR ADOPTION OF GEORGIA STATE INTERNATIONAL BUILDING CODE**

**APPENDIX O**

**DISASTER RESILIENT CONSTRUCTION**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance of the [JURISDICTION] adopting the latest edition as adopted and amended by the Georgia Department of Community Affairs of *Appendix O Disaster Resilient Construction* regulating and governing the mitigation of hazard to life and property from natural weather related disasters, high-wind damages, flooding, and establishing construction standards for storm shelters in the [JURISDICTION]; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. \_\_\_\_ of the [JURISDICTION] and all other ordinances or parts of the laws in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

**Section 1.** That a certain document, three (3) copies of which are on file in the office of the [TITLE OF JURISDICTION'S KEEPER OF RECORDS] of [NAME OF JURISDICTION], being marked and designated as *Appendix O Disaster Resilient Construction* to the International Building Code, the latest edition as adopted and amended by the Georgia Department of Community Affairs, be and is adopted as the *Appendix O Disaster Resilient Construction* of the [JURISDICTION], in the State of Georgia for regulating and governing the mitigation of hazard to life and property from natural weather related disasters, high-wind damages, flooding, and establishing construction standards for storm shelters; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said *Appendix O Disaster Resilient Construction* on file in the office of the [JURISDICTION] are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any prescribed in Section 2 of this ordinance.

**Section 2.** [NAME OF JURISDICTION] hereby:

Choose an item. CHAPTER AO1 SCOPE AND ADMINISTRATION Choose an item.

Choose an item. SECTION AO101 ADMINISTRATION Choose an item.

Choose an item. AO101.1 Purpose Choose an item.

Choose an item. AO101.2 Objectives Choose an item.

Choose an item. AO101.3 Scope Choose an item.

AO101.3.1 Insert [Name Of Jurisdiction] for [NAME OF JURISDICTION].

Choose an item. AO101.4 Violations Choose an item.

Insert [Name Of Jurisdiction] for [NAME OF JURISDICTION].

Choose an item. SECTION AO102 APPLICABILITY Choose an item.

Choose an item. AO102.1 General Choose an item.

Choose an item. AO102.2 Other laws Choose an item.

Choose an item. AO102.3 Referenced codes and standards Choose an item.

Choose an item. SECTION AO103 POST DISASTER EVENT INSPECTIONS GUIDELINES Choose an item.

Choose an item. AO103.1 Inspections Choose an item.

Choose an item. AO103.1.1 Right of entry Choose an item.

Choose an item. AO103.2 Types of inspections Choose an item.

Choose an item. AO103.3 Post disaster building safety evaluation chart Choose an item.

Choose an item. Figure AO103.3 Post Disaster Building Safety Evaluation Chart Choose an item.

Choose an item. AO103.4 Evaluation Forms Choose an item.

Insert [Name Of Jurisdiction] for [NAME OF JURISDICTION].

Choose an item. AO103.5 Placement and remove of placards Choose an item.

Choose an item. CHAPTER AO2 DEFINITIONS Choose an item.

Choose an item. SECTION AO201 GENERAL Choose an item.

Choose an item. AO201.1 Scope Choose an item.

Choose an item. AO201.2 Terms defined in other codes Choose an item.

Choose an item. AO201.3 Terms not defined Choose an item.

Choose an item. SECTION AO202 DEFINITIONS Choose an item.

Choose an item. CHAPTER AO3 FLOOD-RESISTANT CONSTRUCTION Choose an item.

Choose an item. SECTION AO301 HAZARD IDENTIFICATION Choose an item.

Choose an item. AO301.1 Identification of flood hazard areas Choose an item.

Insert [Name Of Jurisdiction] for [NAME OF JURISDICTION].

Insert [Date of Issuance] for [DATE OF ISSUANCE].

Choose an item. SECTION AO302 SCOPE Choose an item.

Choose an item. AO301.1 Flood Loads Choose an item.

Choose an item. FLOOD ELEVATION OPTION Choose an item. Choose an item.

Choose an item. SECTION AO303 FLOOD DAMAGE-RESISTANT MATERIALS Choose an item.

Choose an item. AO303.1 Flood damage-resistant materials Choose an item.

Choose an item. AO303.2 Location of flood damage-resistant materials Choose an item.

Choose an item. AO303.3 Fasteners and connectors used for flood-resistant materials Choose an item.

Choose an item. CHAPTER AO4 HIGH-WIND RESISTIVE CONSTRUCTION Choose an item.

Choose an item. SECTION AO401 GENERAL Choose an item.

Choose an item. AO401.1 Applications Choose an item.

Choose an item. AO401.2 Limitations Choose an item.

Choose an item. AO402 DEFINITIONS AND NOTATIONS Choose an item.

Choose an item. AO403 WIND LOADS Choose an item.

Choose an item. AO403.1 Wind Directionality Factor Choose an item.

Choose an item. AO403.2 Exposure Choose an item.

Choose an item. AO403.3 Enclosure classification Choose an item.

Choose an item. AO403.4 Continuous operation of Risk Category IV buildings Choose an item.

Choose an item. SECTION Choose an item. Choose an item.

Choose an item. CHAPTER AO5 STORM SHELTERS, SAFE ROOMS AND BEST AVAILABLE  
REFUGE AREAS Choose an item.

Choose an item. SECTION AO501 GENERAL Choose an item.

Choose an item. AO501.1 General Choose an item.

Choose an item. AO501.2 Occupant load Choose an item.

Choose an item. AO501.3 Construction documents Choose an item.

Choose an item. AO501.4 Signage Choose an item.

Choose an item. SECTION AO502 DEFINITIONS AND NOTATIONS Choose an item.

Choose an item. AO502.1 Definitions Choose an item.

Choose an item. AO502.2 Additional definitions Choose an item.

Choose an item. SECTION AO503 BEST AVAILABLE REFUGE AREAS Choose an item.

Choose an item. AO503.1 General Choose an item.

Choose an item. AO503.2 Occupant Density Choose an item.

Choose an item. AO503.3 Identification of best available refuge areas Choose an item.

Choose an item. SECTION AO504 APPLICABILITY Choose an item.

Choose an item. AO504.1 Required storm shelters or safe rooms Choose an item.

Section 3. That Ordinance No. \_\_\_\_ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE LEGISLATION OR LAWS IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of laws in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 5.** That nothing in this ordinance or in *Appendix O Disaster Resilient Construction* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the [JURISDICTION'S KEEPER OF RECORDS] is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.

**Section 8.** Chapter AO6 Resources, of this document is intended to be used by the building officials as a resource guide.

## TABLE OF CONTENTS

<b>CHAPTER AO1 Scope and Administration .....</b>	<b>8</b>
Section	
AO101 Administration .....	8
AO102 Applicability .....	8

AO103 Post Disaster Event Inspections Guidelines .....	9
<b>CHAPTER AO2 Definitions .....</b>	<b>11</b>
Section	
AO201 General .....	11
AO202 Definitions .....	11
<b>CHAPTER AO3 Flood-resistant Construction .....</b>	<b>12</b>
Section	
AO301 Hazard Identification .....	12
AO302 Scope .....	12
AO303 Flood damage-resistant materials .....	12
<b>CHAPTER AO4 High-wind Resistive Construction .....</b>	<b>13</b>
Section	
AO401 General .....	13
AO402 Definitions and Notations .....	13
AO403 Wind Loads .....	13
AO404 Wind Load Option A .....	13
AO405 Wind Load Option B .....	14
AO406 Wind Load Option C .....	14
<b>CHAPTER AO5 Storm Shelters, Safe Rooms and Best Available Refuge Areas .....</b>	<b>15</b>
Section	
AO501 General .....	15
AO502 Definitions and Notations .....	15
AO503 Best Available Refuge Areas .....	15
AO504 Applicability .....	15
<b>CHAPTER AO6 Resources .....</b>	<b>16</b>
Section	
AO601 Contacts .....	16
AO602 Emergency Inspection Kit .....	16
AO603 Safety Tips .....	17
AO604 Major Disaster Process .....	17
AO605 Sample Evaluation Forms and Placards .....	17
<b>CHAPTER AO7 References .....</b>	<b>24</b>
<b>INDEX OF FIGURES .....</b>	<b>24</b>

## APPENDIX O

### DISASTER RESILIENT CONSTRUCTION

#### CHAPTER AO1

##### SCOPE AND ADMINISTRATION

###### SECTION AO101

###### ADMINISTRATION

AO101.1 **Purpose.** The scope of this appendix is to promote enhanced public health, safety and general welfare and to reduce public and private property losses due to hazards and natural disasters associated with flooding, high-winds, and windborne debris above that which is provided in the general provisions of this appendix.

AO101.2 **Objectives.** The objectives of this appendix are to:

1. Protect human life, to minimize property loss and to minimize the expenditures of public money associated with natural weather related disasters, including flooding, tornadoes and other high-wind events.
2. Establish enhanced design and construction regulations consistent with nationally recognized good practices for the safeguarding of life and property.

AO101.3 **Scope.**

AO101.3.1 The provisions of this appendix are not mandatory unless specifically referenced in an adopting ordinance of [NAME OF JURISDICTION]. If adopted, the provisions shall apply to all new development and to substantial improvements to existing development.

AO101.3.2 The provisions of this appendix supplement the jurisdiction's building and fire codes to provide for enhanced provisions to mitigate the hazard to life and property from natural weather related disasters, including flooding, tornadoes and other high-wind events.

AO101.3.3 The provisions of this appendix establish design and construction standards for storm shelters.

AO101.4 **Violations.** Any violation of a provision of this appendix or failure to comply with a permit of variance issued pursuant to this appendix or any requirement of this appendix shall be handled in accordance with the ordinances of [NAME OF JURISDICTION].

## SECTION AO102

### APPLICABILITY

AO102.1 **General.** This appendix provides enhanced minimum requirements for development of new construction and substantial improvement of existing development above that contained in the *International Building Code (IBC)*.

AO102.1.1 The provisions of this appendix shall apply to all new construction and additions, and shall apply to substantial alterations in flood hazard areas unless it is technically infeasible or otherwise exempted in Section 3403.2 of the *International Building Code*.

AO102.1.2 Regardless of the category of work being performed, the work shall not cause the structure to become unsafe or adversely affect the performance of the building; shall not cause an existing mechanical or plumbing system to become unsafe, hazardous, insanitary or overloaded; and unless expressly permitted by these provisions, shall not make the building any less compliant with this appendix or to any previously approved alternative arrangements than it was before the work was undertaken.

AO102.1.3 Where there is a conflict between a requirement of the *International Building Code* and a requirement of this appendix, the requirement of this appendix shall govern. Where there is a conflict between a general requirement of this appendix and a specific requirement of this appendix, the specific requirement shall govern. Where, in any specific case, different sections of this appendix specify different materials, methods of construction or other requirements, the most restrictive shall govern.

AO102.2 **Other laws.** The provisions of this appendix shall not be deemed to nullify any provisions of local, state or federal law.

AO102.3 **Referenced codes and standards.** The codes and standards referenced in this appendix shall be those that are listed in Chapter AO7 and such codes and standards shall be considered as part of the requirements of this appendix to the prescribed extent of each such reference. Where differences occur between provisions this appendix and referenced codes and standards, the provisions of this appendix shall apply.

## SECTION AO103

### POST DISASTER EVENT INSPECTIONS GUIDELINES

AO103.1 **Inspections.** The building official or agents shall inspect buildings and structures to determine the habitability of each with the goal of getting the community back into their residences quickly and safely. Inspections shall always be performed by teams of at least two individuals, also known as disaster assessment teams.

AO103.1.1 **Right of entry.** Unless permitted under the exigent circumstances provisions or from an order from State or Federal Authorities, disaster assessment teams shall confirm the right of entry requirements with the incident commander. Upon approval, the assessment teams shall be authorized to enter the structure or premises at reasonable times to inspect or perform duties as provided by this code, provided that the structure or premises be occupied, that credentials are presented, that entry is requested, and that entry is granted by the owner or person having charge over the structure or premises.

#### AO103.2 Types of inspections.

AO103.2.1 **Rapid evaluation.** Rapid evaluation is performed after a disaster event to determine if a building is apparently safe or obviously unsafe. The evaluation should last 10 to 30 minutes per building and shall be performed by the building official and/or their designated responders. Evaluation shall determine if a detailed evaluation is necessary. Placards are posted on buildings indicating status as one of the following:

1. INSPECTED
2. RESTRICTED USE
3. UNSAFE

See Section AO605 for Placards that may be reproduced for use in the field during evaluations. The jurisdiction shall alter placards to meet the jurisdiction and building department's requirements.

AO103.2.2 **Detailed evaluation.** Detailed evaluation is a thorough visual examination of a damaged building performed by a team of two, including an inspector and a design professional. Evaluation should last 30 minutes to 4 hours per building. Evaluation shall determine necessary restrictions on a damaged building's use, the need for an engineering evaluation or to evaluate postings.

AO103.2.3 **Engineering evaluation.** When indicated by the building official as necessary, engineering evaluations shall be completed by a registered design professional hired by the building owner.

AO103.3 **Post disaster building safety evaluation chart.** See Figure AO103.3 for Post Disaster Building Safety Evaluation Chart.

AO103.4 **Evaluation Forms.** *ATC-45 Rapid Evaluation Safety Assessment Form* and *ATC-45 Detailed Evaluation Safety Assessment Form* shall be used by [Name of Jurisdiction]'s Building Official for post disaster inspections. See Section AO605 for copies of the Safety Assessment Forms.

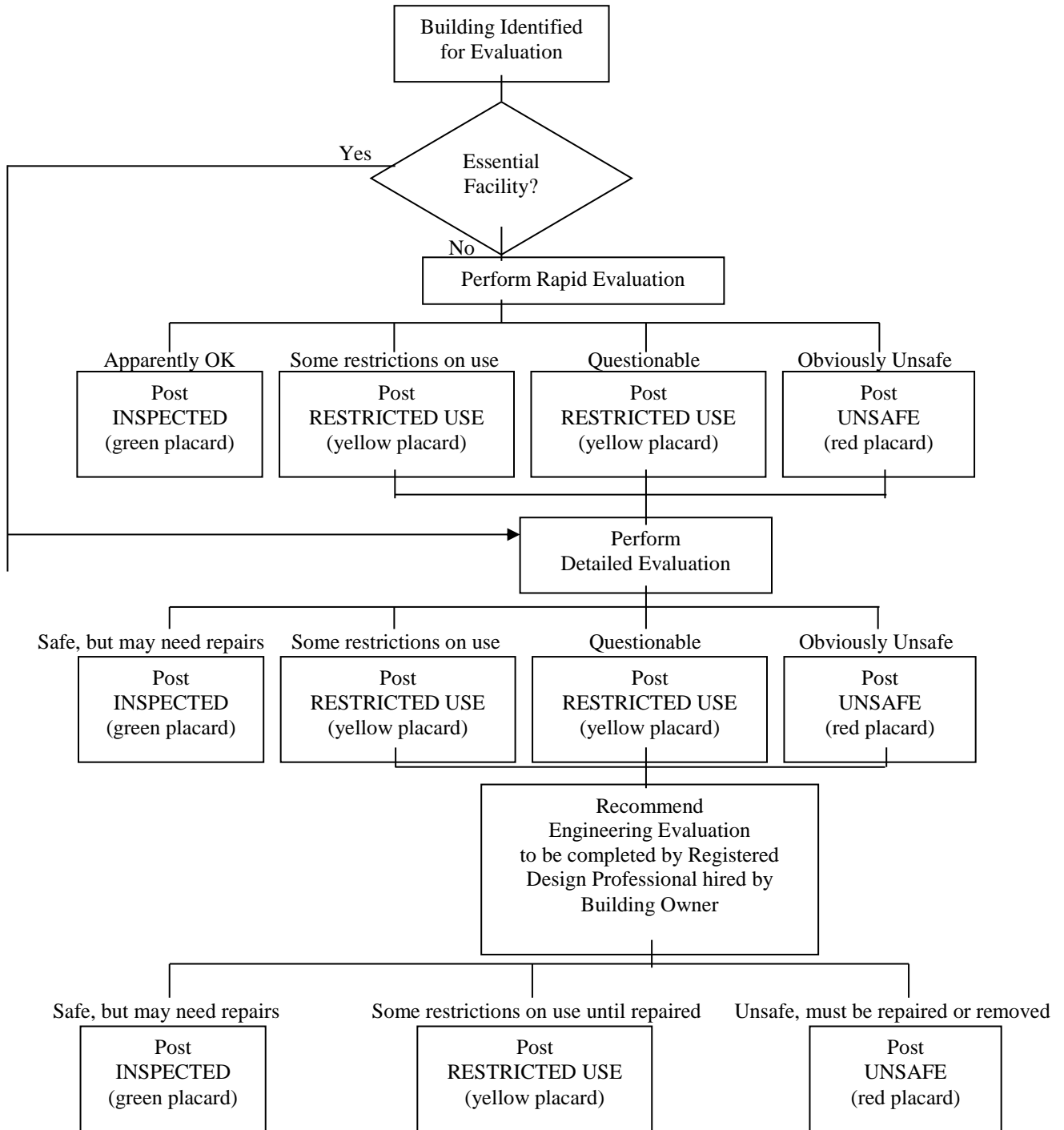
#### AO103.5 Placement and removal of placards.

AO103.5.1 **Placement.** Placards are to be posted in a clearly visible location near the main entrance and shall be visible from the public right-of-way. RESTRICTED USE or UNSAFE placards shall be placed at all entrances.



AO103.5.2 **Removal.** Placards shall not be removed or replaced, except by the authorized representatives of the local jurisdiction.

**Figure AO103.3 Post Disaster Building Safety Evaluation Chart <sup>a</sup>**



(a) *When Disaster Strikes* by the International Code Council, Inc., Seventh Printing: November 2011, copyright 2007

## CHAPTER AO2

### DEFINITIONS

#### SECTION AO201

##### GENERAL

AO201.1 **Scope.** Unless otherwise expressly stated the following words and terms shall, for the purposes of this appendix, have the meanings shown in this chapter.

AO201.2 **Terms defined in other codes.** Where terms are not defined in this appendix and are defined in other *International Codes*, such terms shall have the meanings ascribed to them as in those codes.

AO201.3 **Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

#### SECTION AO202

##### DEFINITIONS

**500-YEAR FLOOD.** Flood having a 0.2% annual probability of being equaled or exceeded.

**ADVISORY BASE FLOOD ELEVATION (ABFE).** An advisory base flood elevation (BFE) issued by the Federal Emergency Management Agency (FEMA) that reflects post-storm conditions and vulnerability to damages from future flooding.

**BASE FLOOD.** Flood having a 1% chance of being equaled or exceeded in any given year, also referred to as the 100-year flood.

**BASE FLOOD ELEVATION (BFE).** The elevation of flooding, including wave height, having a 1% chance of being equaled or exceeded in any given year established relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the *Flood Insurance Rate Map (FIRM)*.

**BUILDING OFFICIAL.** The officer or other designated authority charged with the administration and enforcement of the *International Building Code*, or the building official's duly authorized representative.

**DESIGN FLOOD.** The greater of the following two flood events:

- (1) The *base flood*, affecting those areas identified as *special flood hazard areas* on the community's FIRM;
- (2) The flood corresponding to the area designated as a *flood hazard area* on a community's *flood hazard map* or otherwise legally designated.

**DESIGN FLOOD ELEVATION (DFE).** The elevation of the *design flood*, including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the *design flood elevation* shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map.

**FLOOD [DAMAGE]-RESISTANT MATERIAL.** Any building product [material, component or system] capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage.

**FLOOD HAZARD MAP.** Map delineating *flood hazard areas* adopted by the authority having jurisdiction.

**FLOOD INSURANCE RATE MAP (FIRM).** An official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the *special flood hazard areas* and the risk premium zones applicable to the community.

**FREEBOARD.** A factor of safety expressed in feet above a flood level for purposes of floodplain management.

**FUTURE-CONDITIONS FLOOD.** The flood having a 1% chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

**FUTURE-CONDITIONS FLOOD ELEVATION.** The flood standard equal to or higher than the Base Flood Elevation. The future-conditions flood elevation is defined as the highest water surface anticipated at any given point during the future-conditions flood.

## CHAPTER AO3

### FLOOD-RESISTANT CONSTRUCTION

*Forward: This appendix provides three different options for increased freeboard. The jurisdiction may pick only one option that is higher than previously adopted and enforced by the jurisdiction. The National Flood Insurance Program (NFIP) minimum standards reference Base Flood Elevation without any freeboard in high risk flood hazard areas. Due to the flood damage prevention updates performed during the Map Modernization initiative that led to flood risks being digitally identified in all 159 Georgia counties, all Georgia NFIP participating communities have freeboard standards that meet or exceed the 1 foot standard used in the State model ordinances for areas where BFEs have been established.*

#### SECTION AO301

##### HAZARD IDENTIFICATION

**AO301.1 Identification of flood hazard areas.** To establish flood hazard areas:

(a) flood hazard map adopted by jurisdiction based on areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study of [INSERT NAME OF JURISDICTION]," dated [INSERT DATE ISSUANCE], and amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto.

(b) FIRM maps provided by the Federal Emergency Management Agency.

#### SECTION AO302

##### SCOPE

**AO302.1 Flood loads.** Buildings designed and constructed in flood hazard areas defined in IBC Section 1612.3.1 shall comply with the following:

**AO302.1.1 Flood hazard areas without base flood elevations.** In flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade to the building foundation.

##### OPTION A - FLOOD ELEVATION

**AO302.1.2 Increase to base flood elevation requirements.** Floors required by ASCE 24 to be built above base flood elevations as follows:

The higher of:

- (a) Design flood elevation plus one (1) foot, or
- (b) Base flood elevation plus one (1) foot, or
- (c) Advisory base flood elevation, or
- (d) Future-conditions plus one (1) foot, if known or
- (e) 500-year flood, if known

#### **OPTION B - FLOOD ELEVATION**

**AO302.1.3 Increase to base flood elevation requirements.** Floors required by ASCE 24 to be built above base flood elevations as follows:

The higher of:

- (a) Design flood elevation plus two (2) feet, or
- (b) Base flood elevation plus two (2) feet, or
- (c) Advisory base flood elevation, or
- (d) Future-conditions plus one (1) foot, if known or
- (e) 500-year flood, if known

#### **OPTION C - FLOOD ELEVATION**

**AO302.1.4 Increase to base flood elevation requirements.** Floors required by ASCE 24 to be built above base flood elevations as follows:

The higher of:

- (a) Design flood elevation plus three (3) feet, or
- (b) Base flood elevation plus three (3) feet, or
- (c) Advisory base flood elevation, or
- (d) Future-conditions plus one (1) foot, if known or
- (e) 500-year flood, if known

### **SECTION AO303**

#### **FLOOD DAMAGE-RESISTANT MATERIALS**

**AO303.1 Flood damage-resistant materials.** Flood damage-resistant materials comply with FEMA Technical Bulletin 2, Table 2. Types, Uses, and Classifications of Materials.

AO303.2 **Location of flood damage-resistant materials.** Building components and materials located below the increase to base flood elevation as determined by the local jurisdiction in accordance with AO302.1 shall be flood damage-resistant as defined by Section AO303.1.

AO303.3 **Fasteners and connectors used for flood damage-resistant materials.** Fasteners and connectors used for flood damage-resistant materials to be made of stainless steel, hot-dipped zinc-coated galvanized steel, mechanically deposited-zinc coated, silicon bronze or copper. Copper fasteners shall not be permitted for use in conjunction with steel.

## CHAPTER AO4

### HIGH-WIND RESISTIVE CONSTRUCTION

#### SECTION AO401

##### GENERAL

AO401.1 **Applications.** Buildings, and parts thereof shall be designed to withstand the minimum wind loads and meet the opening protection requirements of IBC Section 1609 as modified in this chapter. **Wind Load Option A, B or C shall be selected. Table AO401.1 may be used to assist in the selection of an appropriate Wind Load Option.**

AO401.2 **Limitations.** The following limitations shall apply to the design and construction of buildings with respect to winds.

AO401.2.1 **Empirical masonry.** The empirical masonry provisions in IBC Section 2109 or Chapter 5 of TMS 402/ACI 530/ASCE 5 shall not be permitted to be used for the wind load resisting elements of buildings, or parts of buildings or other structures.

AO401.2.2 **Unreinforced (plain) masonry.** The unreinforced masonry provisions in IBC Section 2109 or sections 2.2, 3.2 or 8.2 of TMS 402/ACI 530/ASCE 5 shall not be permitted to be used for the wind load resisting elements of buildings, or parts of buildings or other structures.

AO401.2.3 **Conventional light-frame construction.** The *conventional light-frame construction* provisions in IBC Section 2308 shall not be permitted to be used for the wind load resisting elements of buildings, or parts of buildings or other structures.

**Exception:** Compliance with AF&PA WFCM shall be permitted subject to the limitations therein and the limitations of this appendix.

#### SECTION AO402

##### DEFINITIONS AND NOTATIONS

AO402.1 **General.** The following terms are defined in Chapter 2 of the International Building Code:

##### CONVENTIONAL LIGHT-FRAME CONSTRUCTION.

##### MASONRY.

**Unreinforced (plain) masonry.**

##### WIND-BORNE DEBRIS REGION.

**WIND SPEED, *Vult*.**

## SECTION AO403

### WIND LOADS

AO403.1 **Wind Directionality Factor.** The directionality factor for Wind Option B and C shall be taken as 1.0.

AO403.2 **Exposure.** Wind pressures for Wind Option B and C shall be based on exposure category C or D in accordance with IBC Section 1609.4 or ASCE 7.

AO403.3 **Enclosure classification.** The enclosure classification shall be determined in accordance with ASCE 7 with the largest door or window on a wall that receives positive external pressure considered as an opening.

AO403.4 **Continuous operation of Risk Category IV buildings.** When a building or an internal area within a building in Risk Category IV is required to remain operational during a design wind event (target performance level OB), that building or that internal area shall be designed in accordance with ICC-500 or FEMA-361.

## SECTION AO404

### WIND LOAD OPTION A

AO404.1 **Basic wind speed.** The ultimate design wind speed,  $V_{ult}$ , for use in the design of buildings and structures shall be obtained from IBC Section 1609.3.

AO404.2 **Debris Hazard and Protection of Openings.** Buildings shall be designed for impact resistance in accordance with IBC Section 1609.2 or ASCE 7.

#### Exception:

1. For Risk Category III buildings with a Life Safety target performance level for the entire building, the exterior glazing shall be impact resistant or be protected with an impact resistant covering meeting the requirements of ASTM E1996.
2. For Risk Category IV buildings with an Immediate Occupancy target performance level for the entire building, the exterior glazing shall be impact resistant or be protected with an impact resistant covering meeting the requirements of ASTM E1996 for *Enhanced Protection*.

## SECTION AO405

### WIND LOAD OPTION B

AO405.1 **Basic wind speed.** The ultimate design wind speed,  $V_{ult}$ , for use in the design of Risk Category I buildings and structures shall be obtained from IBC Section 1609.3. The ultimate design wind speed,  $V_{ult}$ , for use in the design of Risk Category II buildings and structures shall be obtained from IBC Figure 1609.3(1). The ultimate design wind speed,  $V_{ult}$ , for use in the design of Risk Category III and IV buildings and structures shall be obtained from IBC Figure 1609.3(1) or 135 mph, whichever is greater.

AO405.2 **Debris Hazard and Protection of Openings.** Buildings shall be designed for impact resistance in accordance with this Section in addition to IBC Section 1609.2 or ASCE 7.

#### Exception:

1. For Risk Category IV buildings, all components of the exterior envelope shall be impact resistant or be protected with an impact resistant covering meeting the requirements of ASTM E1996 for *Enhanced Protection*.

## SECTION AO406

## WIND LOAD OPTION C

AO406.1 **Basic wind speed.** The ultimate design wind speed,  $V_{ult}$ , for use in the design of Risk Category I buildings and structures shall be obtained from IBC Section 1609.3. The ultimate design wind speed,  $V_{ult}$ , for use in the design of Risk Category II buildings and structures shall be obtained from IBC Figure 1609.3(1). The ultimate design wind speed,  $V_{ult}$ , for use in the design of Risk Category III and IV buildings and structures shall be obtained from IBC Figure 1609.3(1) or 170 mph, whichever is greater.

AO406.2 **Debris Hazard and Protection of Openings.** Buildings shall be designed for impact resistance in accordance with this Section in addition to IBC Section 1609.2 or ASCE 7.

### Exception:

1. For Risk Category IV buildings, all components of the exterior envelope shall be impact resistant or be protected with an impact resistant covering meeting the requirements of ASTM E1996 for *Enhanced Protection*.

**Table AO401.1**

### WIND LOAD OPTIONS: TARGET PERFORMANCE LEVELS AND DESIGN CRITERIA<sup>4</sup>

OPTION	DESIGN WIND EVENT	Risk Category II <sup>1</sup>			Risk Category III <sup>1</sup>			Risk Category IV <sup>1</sup>		
		Target Performance Level <sup>2</sup>	Min Wind Speed $V_{ult}$	Wind-Borne Debris	Target Performance Level <sup>2</sup>	Min Wind Speed $V_{ult}$	Wind-Borne Debris	Target Performance Level <sup>2</sup>	Min Wind Speed $V_{ult}$	Wind-Borne Debris
<b>A</b>	EF0 & 1 Tornado - IBC level Hurricane	CP <sup>3</sup>	IBC 1609.3	IBC 1609.2 or ASCE 7	CP <sup>3</sup>	IBC 1609.3	IBC 1609.2 or ASCE 7	CP <sup>3</sup>	IBC 1609.3	IBC 1609.2 or ASCE 7
					LS		Glazing	IO <sup>5</sup>		Glazing
<b>B</b>	EF2 Tornado - Cat 3 Hurricane	CP <sup>3</sup> for EF0-EF1-IBC Hurricane for Risk Cat. III/IV	IBC 1609.3 for Risk Cat. III/IV	IBC 1609.2 or ASCE 7	LS	145 mph	Req'd for glazing per IBC 1609.2 and ASCE 7	IO <sup>5</sup>	145 mph	Exterior Envelope
<b>C</b>	EF3 Tornado - Cat 4 Hurricane	CP <sup>3</sup> for EF0-EF1-IBC Hurricane for Risk Cat. III/IV	IBC 1609.3 for Risk Cat. III/IV	IBC 1609.2 or ASCE 7	LS	170 mph	Req'd for glazing per IBC 1609.2 and ASCE 7	IO <sup>5</sup>	170 mph	Exterior Envelope

Notes:

1. Risk Category per IBC Section 1604.5

2. Performance Levels:

CP: Collapse Prevention

LS: Life Safety

IO: Immediate Occupancy

OB: Operational Building

3. LS for occupants away from exterior envelope. IO for storm shelters or safe rooms.

4. See Section AO401 and Section AO403 for additional limitations and criteria.



5. OB for building or an internal area within a building designed to ICC-500 or FEMA 361.

## CHAPTER AO5

### STORM SHELTERS, SAFE ROOMS AND BEST AVAILABLE REFUGE AREAS

#### SECTION AO501

##### GENERAL

AO501.1 **General.** This section applies to the location and construction of storm shelters and safe rooms when constructed as separate detached buildings or as internal areas within buildings for the purpose of providing safe refuge for storms that produce high winds, such as tornados and hurricanes, and to the selection of best available refuge areas. Storm shelters shall be designed and constructed in accordance with IBC Section 423. Safe rooms shall be designed and constructed in accordance with FEMA 361. Storm shelters, safe rooms, and best available refuge areas shall be located on an accessible route.

**Exception:** *Residential Safe Rooms* and safe rooms serving a Business Group B Occupancy and having an *occupant load* not exceeding 16 persons may be constructed in accordance with FEMA 320.

AO501.2 **Occupant load.** The occupant load for storm shelters and safe rooms shall be determined by ICC 500 and FEMA 361 respectively.

AO501.3 **Construction documents.** Construction documents for buildings containing a storm shelter or safe room shall include the information required in ICC 500 or FEMA 361 respectively. Construction documents for buildings with access to a remote community storm shelter or safe room shall indicate the location of and access to the community storm shelter or safe room. Construction documents for buildings not containing or without access to a remote storm shelter or safe room, shall indicate the best available refuge area.

AO501.4 **Signage.** The location(s) of storm shelters, safe rooms or the best available refuge area(s) shall be clearly marked with a permanent sign.

#### SECTION AO502

##### DEFINITIONS AND NOTATIONS

AO502.1 **Definitions.** The following terms are defined in Chapter 2 of the International Building Code:

**DWELLING UNITS.**

**OCCUPANT LOAD.**

**STORM SHELTER.**

**Community Storm Shelter.**

**Residential Storm Shelter.**

AO502.2 **Additional definitions.**

**BEST AVAILABLE REFUGE AREAS.** Areas in a building that have been deemed by a registered design professional to likely offer the greatest safety for building occupants during a tornado or hurricane. Because these areas were not specifically designed as storm shelters or safe rooms, their occupants may be injured or killed during a tornado or hurricane. However, people in the best available refuge areas are less likely to be injured or killed than people in other areas of a building.

**SAFE ROOM.** A building, structure or portions thereof, constructed in accordance with FEMA 361 and designed for use during a severe wind storm event, such as a hurricane or tornado.

**Community Safe Room.** A safe room not defined as a "Residential Safe Room"

**Residential Safe Room.** A safe room serving occupants of *dwelling units* and having an *occupant load* not exceeding 16 persons.

## SECTION AO503

### BEST AVAILABLE REFUGE AREAS

AO503.1 **General.** Best available refuge area occupants may be injured or killed during a tornado or hurricane. However, people in the best available refuge areas are less likely to be injured or killed than people in other areas of a building.

AO503.2 **Occupant Density.** The minimum required floor area per occupant for best available refuge area(s) shall be determined in accordance with ICC 500 Table 501.1.1.

AO503.3 **Identification of best available refuge areas.** Best available refuge areas shall be identified by a registered design professional in accordance with the Wind Hazard Checklist of FEMA 361, Appendix B and FEMA P-431.

## SECTION AO504

### APPLICABILITY

AO504.1 **Required storm shelters or safe rooms.**

1. All new kindergarten through 12th grade schools with 50 or more occupants in total, per school, shall have a storm shelter or safe room.
2. All new 911 call stations, emergency operation centers, and fire, rescue, ambulance, and police stations shall have a storm shelter or safe room.

## CHAPTER AO6

### RESOURCES

## SECTION AO601

### CONTACTS

#### Georgia Department of Community Affairs (DCA)

##### Construction Codes

Georgia State Amendments to the State Minimum Standard Codes

[dca.ga.gov/local-government-assistance/construction-codes-industrialized-buildings/construction-codes](http://dca.ga.gov/local-government-assistance/construction-codes-industrialized-buildings/construction-codes)

Phone: 404-679-3118

#### Georgia Department of Natural Resources (DNR)

##### Floodplain Management

4220 International Parkway, Ste. 101

Atlanta, GA 30354-3902

[www.georgiadfirm.com](http://www.georgiadfirm.com)

Phone: 404-675-1757

**Federal Emergency Management Agency (FEMA)**

[www.fema.gov](http://www.fema.gov); [www.floodsmart.gov](http://www.floodsmart.gov)

[www.fema.gov/rebuild/buildingscience/](http://www.fema.gov/rebuild/buildingscience/)

FEMA Publications and Technical Bulletins:

[www.fema.gov/library/index.jsp](http://www.fema.gov/library/index.jsp) [File Link Not Available])

[www.fema.gov/plan/prevent/floodplain/techbul.shtm](http://www.fema.gov/plan/prevent/floodplain/techbul.shtm) [File Link Not Available])

**Georgia Emergency Management Agency (GEMA)**

Georgia Office of Homeland Security

P.O. Box 18055

Atlanta, GA 30316-0055

[www.gema.ga.gov](http://www.gema.ga.gov)

[www.ready.ga.gov](http://www.ready.ga.gov)

Phone: 404-635-7000

**Georgia Association of Regional Commissions (GARC)**

[www.garc.ga.gov](http://www.garc.ga.gov)

(<http://garc.ga.gov/main.php?Regional-Commissions-2>)

(for assistance in identifying Flood Hazard Areas)

**International Code Council (ICC)**

[www.iccsafe.org](http://www.iccsafe.org)

**National Weather Service**

[www.weather.gov](http://www.weather.gov)

**State Fire Marshal's Office**

2 Martin Luther King Jr. Drive

Suite 920 / West Tower

Atlanta, Georgia 30334

[www.oci.ga.gov](http://www.oci.ga.gov)

Phone: 404-656-7087

**SECTION AO602****EMERGENCY INSPECTION KIT <sup>b</sup>**

- ☐ *Staff's disaster response management plan*
- ☐ *Team contact list*
- ☐ *Area maps*
- ☐ *Official identification*
- ☐ *Personal identification*
- ☐ *Inspection forms and placards*
- ☐ *Communication equipment*
- ☐ *Clipboard*
- ☐ *Hard hat*
- ☐ *Orange safety vest*
- ☐ *Dust mask*
- ☐ *Work gloves*
- ☐ *Steel toe and waterproof boots*
- ☐ *Whistle*
- ☐ *First aid kit*
- ☐ *Latex gloves*
- ☐ *Safety glasses*
- ☐ *Sunglasses*
- ☐ *Pocket knife*

- ☐ *Matches*
- ☐ *Antibacterial hand wipes or alcohol-based hand sanitizer*
- ☐ *Insect repellent (w/ Deet or Picaridin)*
- ☐ *Sunscreen (SPF 15 or greater)*
- ☐ *Camera*
- ☐ *Black markers*
- ☐ *Pens & pencils*
- ☐ *Envelope for expense receipts*
- ☐ *Compass, GPS unit*
- ☐ *Backpack, waistpack*
- ☐ *Flashlight and extra batteries*
- ☐ *Battery-operated radio*
- ☐ *Duct tape*
- ☐ *Staples & stapler*
- ☐ *Staple gun*
- ☐ *Calculator*
- ☐ *Tire repair kit*

***Remember to grab:***

- ☐ **Personal identification**
- ☐ **Rain gear, extra clothing**
- ☐ **Water bottle**
- ☐ **Prescription medication**
- ☐ **Cell phone and charger**
- ☐ **Cash for personal expenses**
- ☐ **Toiletries**

(b) *Disaster Mitigation: A Guide for Building Departments* by the International Code Council, Inc., copyright 2009

## SECTION AO603

### SAFETY TIPS <sup>a</sup>

1. Always travel in teams of at least two people.
2. Always wear a hard hat, gloves, goggles, safety vest, and dust masks.
3. Always wear safety shoes capable of protecting the toes and bottom of the foot.
4. Survey the building exterior completely before entering.
5. Enter building only if authorized and if deemed safe to do so.
6. Be alert for falling objects.
7. In case of fire, injuries or victims, evacuate the area and alert the fire department immediately.
8. Avoid downed power lines and buildings under them or water surrounding them.
9. In case of gas leaks, shut off the gas (if possible) and report the leak.
10. In a flood situation, have a "walking stick."

(a) *When Disaster Strikes* by the International Code Council, Inc., Seventh Printing: November 2011, copyright 2007

## SECTION AO604

### MAJOR DISASTER PROCESS

(from link <https://www.fema.gov/disaster-declaration-process>)

A Major Disaster Declaration usually follows these steps:

- **Incident occurs and local government responds**, supplemented by neighboring communities and volunteer agencies. If overwhelmed, turn to the state for assistance;

Generally the local government will issue a local state of emergency

- **The State responds** with state resources, such as the National Guard and state agencies;

Prior to committing state resources, the Governor will declare a state of emergency in the counties impacted by the event for which assistance is needed.

- **Damage assessment** by local, state, federal, and volunteer organizations determine losses and recovery needs;

Generally the locals will submit a preliminary damage assessment to the state and the state will review and determine if state and/or federal assistance is needed. If federal assistance is needed, the state will request FEMA perform a preliminary joint damage assessment. If the Governor determines that the incident is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected local governments then supplementary Federal assistance is requested (next step).

- **A Major Disaster Declaration** is requested by the Governor, based on the damage assessment, and agreement to commit state funds and resources to the long-term recovery;
- **FEMA evaluates** the request and recommends action to the White House based on the disaster, the local community and the state's ability to recover;
- **The President approves** the request or FEMA informs the Governor it has been denied. This decision process could take a few hours or several weeks depending on the nature of the disaster.

## SECTION AO605

### SAMPLE EVALUATION FORMS AND INSPECTION PLACARDS <sup>b</sup> (following pages)

Figure AO605.1 <sup>b</sup>

ATC-45 Rapid Evaluation Safety Assessment Form																																												
<b>Inspection</b> <div style="display: flex; justify-content: space-between;"> <div>Inspector ID: _____</div> <div>Inspection date: _____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Affiliation: _____</div> <div>Inspection time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Areas inspected: <input type="checkbox"/> Exterior only <input type="checkbox"/> Exterior and interior</div> </div>																																												
<div style="display: flex;"> <div style="flex: 1;"> <b>Building Description</b>            Building name: _____            Address: _____            Building contact/phone: _____            Number of stories: _____            "Footprint area" (square feet): _____            Number of residential units: _____         </div> <div style="flex: 1;"> <b>Type of Building</b>  <input type="checkbox"/> Mid-rise or high-rise  <input type="checkbox"/> Low-rise multi-family  <input type="checkbox"/> Low-rise commercial  <input type="checkbox"/> Pre-fabricated  <input type="checkbox"/> One- or two-family dwelling    <b>Primary Occupancy</b>  <input type="checkbox"/> Dwelling  <input type="checkbox"/> Other residential  <input type="checkbox"/> Public assembly  <input type="checkbox"/> Emergency services  <input type="checkbox"/> Commercial  <input type="checkbox"/> Offices  <input type="checkbox"/> Industrial  <input type="checkbox"/> Other: _____  <input type="checkbox"/> Government  <input type="checkbox"/> Historic  <input type="checkbox"/> School         </div> </div>																																												
<b>Evaluation</b> Investigate the building for the conditions below and check the appropriate column. <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Observed Conditions:</th> <th style="text-align: center;">Minor/None</th> <th style="text-align: center;">Moderate</th> <th style="text-align: center;">Severe</th> <th style="text-align: center;">Estimated Building Damage (excluding contents)</th> </tr> </thead> <tbody> <tr> <td>Collapse, partial collapse, or building off foundation</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> None</td> </tr> <tr> <td>Building significantly out of plumb or in danger</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> &gt; 0 to &lt; 1%</td> </tr> <tr> <td>Damage to primary structural members, racking of walls</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> 1 to &lt; 10%</td> </tr> <tr> <td>Falling hazard due to nonstructural damage</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> 10 to &lt; 30%</td> </tr> <tr> <td>Geotechnical hazard, scour, erosion, slope failure, etc.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> 30 to &lt; 70%</td> </tr> <tr> <td>Electrical lines / fixtures submerged / leaning trees</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> 70 to &lt; 100%</td> </tr> <tr> <td>Other (specify) _____</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/> 100%</td> </tr> </tbody> </table> <input type="checkbox"/> See back of form for further comments.					Observed Conditions:	Minor/None	Moderate	Severe	Estimated Building Damage (excluding contents)	Collapse, partial collapse, or building off foundation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> None	Building significantly out of plumb or in danger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> > 0 to < 1%	Damage to primary structural members, racking of walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 1 to < 10%	Falling hazard due to nonstructural damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 10 to < 30%	Geotechnical hazard, scour, erosion, slope failure, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 30 to < 70%	Electrical lines / fixtures submerged / leaning trees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 70 to < 100%	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 100%
Observed Conditions:	Minor/None	Moderate	Severe	Estimated Building Damage (excluding contents)																																								
Collapse, partial collapse, or building off foundation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> None																																								
Building significantly out of plumb or in danger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> > 0 to < 1%																																								
Damage to primary structural members, racking of walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 1 to < 10%																																								
Falling hazard due to nonstructural damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 10 to < 30%																																								
Geotechnical hazard, scour, erosion, slope failure, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 30 to < 70%																																								
Electrical lines / fixtures submerged / leaning trees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 70 to < 100%																																								
Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 100%																																								
<b>Posting</b> Choose a posting based on the evaluation and team judgment. Severe conditions endangering the overall building are grounds for an Unsafe posting. Localized Severe and overall Moderate conditions may allow a Restricted Use posting. <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input type="checkbox"/> <b>INSPECTED</b> (Green placard)           <input type="checkbox"/> <b>RESTRICTED USE</b> (Yellow placard)           <input type="checkbox"/> <b>UNSAFE</b> (Red placard)           </div> Record any use and entry restrictions exactly as written on placard: _____ _____ Number of residential units vacated: _____																																												
<b>Further Actions</b> Check the boxes below only if further actions are needed. <div style="margin-top: 10px;"> <input type="checkbox"/> Barricades needed in the following areas: _____              _____  <input type="checkbox"/> Detailed Evaluation recommended: <input type="checkbox"/> Structural <input type="checkbox"/> Geotechnical <input type="checkbox"/> Other: _____  <input type="checkbox"/> Substantial Damage determination recommended  <input type="checkbox"/> Other recommendations: _____              _____  <input type="checkbox"/> See back of form for further comments.           </div>																																												

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Figure AO605.2 <sup>b</sup>

ATC-45 Detailed Evaluation Safety Assessment Form				
<b>Inspection</b>  Inspector ID: _____ Inspection date: _____  Affiliation: _____ Inspection time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM				<b>Final Posting</b> from page 2  <input type="checkbox"/> Inspected <input type="checkbox"/> Restricted Use <input type="checkbox"/> Unsafe
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <b>Building Description</b>             Building name: _____            Address: _____             Building contact/phone: _____            Number of stories: _____            "Footprint area" (square feet): _____            Number of residential units: _____         </div> <div style="width: 48%;"> <b>Type of Building</b>  <input type="checkbox"/> Mid-rise or High-rise  <input type="checkbox"/> Low-rise multi-family  <input type="checkbox"/> Low-rise commercial   <input type="checkbox"/> Pre-fabricated  <input type="checkbox"/> One- or two-family dwelling  <input type="checkbox"/> Other: _____   <b>Primary Occupancy</b>  <input type="checkbox"/> Dwelling  <input type="checkbox"/> Other residential  <input type="checkbox"/> Public assembly  <input type="checkbox"/> Emergency services   <input type="checkbox"/> Commercial  <input type="checkbox"/> Offices  <input type="checkbox"/> Industrial  <input type="checkbox"/> Other: _____   <input type="checkbox"/> Government  <input type="checkbox"/> Historic  <input type="checkbox"/> School         </div> </div>				
<b>Evaluation</b> Investigate the building for the conditions below and check the appropriate column. There is room on the second page for a sketch.				
	Minor/None	Moderate	Severe	Comments
<b>Overall hazards:</b>				
Collapse or partial collapse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Building or story lean or drift	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Fractured or displaced foundation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>Structural hazards:</b>				
Failure of significant element/connection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Column, pier, or bearing wall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Roof/floor framing or connection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Superstructure/foundation connection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Moment frame	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Diaphragm/horizontal bracing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Vertical bracing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Shear wall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>Nonstructural hazards:</b>				
Parapets, ornamentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Canopy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Cladding, glazing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Ceilings, light fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Stairs, exits, access walkways, gratings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Interior walls, partitions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Mechanical & electrical equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Elevators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Building contents, other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>Geotechnical hazards:</b>				
Slope failure, debris impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Ground movement, erosion, sedimentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Differential settlement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

Continue on page 2

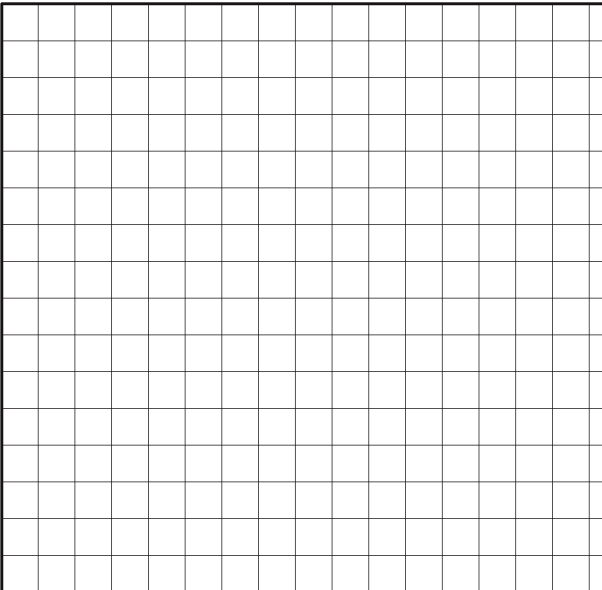
<b>ATC-45 Detailed Evaluation Safety Assessment Form</b>																																																												<b>Page 2</b>									
Building name: _____																														Inspector ID: _____																																							
<b>Sketch</b> Make a sketch of the damaged building in the space provided. Indicate damage points.																																																																					
<b>Estimated Building Damage</b> (excluding contents)																																																																					
<input type="checkbox"/> None <input type="checkbox"/> > 0 to < 1% <input type="checkbox"/> 1 to < 10% <input type="checkbox"/> 10 to < 30% <input type="checkbox"/> 30 to < 70% <input type="checkbox"/> 70 to < 100% <input type="checkbox"/> 100%																																																																					
<b>Posting</b> If there is an existing posting from a previous evaluation, check the appropriate box. Previous posting: <input type="checkbox"/> INSPECTED <input type="checkbox"/> RESTRICTED USE <input type="checkbox"/> UNSAFE    Inspector ID: _____ Date: _____  If necessary, revise the posting based on the new evaluation and team judgment. <i>Severe</i> conditions endangering the overall building are grounds for an Unsafe posting. Local <i>Severe</i> and overall <i>Moderate</i> conditions may allow a Restricted Use posting. Indicate the current posting below and at the top of page one, whether the posting has been revised or not.																																																																					
<input type="checkbox"/> <b>INSPECTED</b> (Green placard) <input type="checkbox"/> <b>RESTRICTED USE</b> (Yellow placard) <input type="checkbox"/> <b>UNSAFE</b> (Red placard) Record any use and entry restrictions exactly as written on placard: _____ _____ Number of residential units vacated: _____																																																																					
<b>Further Actions</b> Check the boxes below only if further actions are needed. <input type="checkbox"/> Barricades needed in the following areas: _____ _____ <input type="checkbox"/> Engineering Evaluation recommended: <input type="checkbox"/> Structural <input type="checkbox"/> Geotechnical <input type="checkbox"/> Other _____ <input type="checkbox"/> Substantial Damage determination recommended <input type="checkbox"/> Other recommendations: _____ _____																																																																					



Figure AO605.3 <sup>b</sup>

<h1>INSPECTED</h1> <h2>LAWFUL OCCUPANCY PERMITTED</h2>	
<p>This structure has been inspected (as indicated below) and no apparent structural hazard has been found.</p> <div><input type="checkbox"/> Inspected Exterior Only</div> <div><input type="checkbox"/> Inspected Exterior and Interior</div> <p>Report any unsafe condition to local authorities; reinspection may be required.</p> <p>Inspector Comments:</p> <div></div> <div></div> <div></div> <div></div> <p>Facility Name and Address:</p> <div></div> <div></div> <div></div>	<p>Date <div></div></p> <p>Time <div></div></p> <p>This facility was inspected under emergency conditions for:</p> <div>(Jurisdiction)</div> <p>Inspector ID / Agency</p> <div></div> <div></div> <div></div>
<p><b>Do Not Remove, Alter, or Cover this Placard until Authorized by Governing Authority</b></p>	

Figure AO605.4 <sup>b</sup>

<h1>RESTRICTED USE</h1>	
<b>Caution:</b> This structure has been inspected and found to be damaged as described below: _____ _____ _____	Date _____ Time _____
<b>Entry, occupancy, and lawful use are restricted as indicated below:</b> <input type="checkbox"/> Do not enter the following areas: _____ <input type="checkbox"/> Brief entry allowed for access to contents: _____ <input type="checkbox"/> Other restrictions: _____	This facility was inspected under emergency conditions for: _____ (Jurisdiction) Inspector ID / Agency _____ _____ _____
Facility name and address: _____ _____ _____	
<b>Do Not Remove, Alter, or Cover this Placard until Authorized by Governing Authority</b>	

Figure AO605.5 <sup>b</sup>

<h1>UNSAFE</h1> <p><b>DO NOT ENTER OR OCCUPY (THIS PLACARD IS NOT A DEMOLITION ORDER)</b></p>	
<p>This structure has been inspected, found to be seriously damaged and is unsafe to occupy, as described below:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Date _____</p> <p>Time _____</p> <p>This facility was inspected under emergency conditions for:</p> <p>_____</p> <p>(Jurisdiction)</p> <p>Inspector ID / Agency</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p><b>Do not enter, except as specifically authorized in writing by jurisdiction. Entry may result in death or injury.</b></p> <p>Facility Name and Address:</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p><b>Do Not Remove, Alter, or Cover this Placard until Authorized by Governing Authority</b></p>

## CHAPTER AO7

### REFERENCES

#### REFERENCED STANDARDS

ASCE Standards ASCE/SEI 24-14 Flood Resistant Design and Construction

FEMA P-320, Fourth Edition / December 2014 Taking Shelter From the Storm: Building a Safe Room For Your Home or Small Business, Includes Construction Plans and Cost Estimates

FEMA 361, Third Edition / March 2015 Design and Construction Guidance for Community Safe Rooms

FEMA P-431, Second Edition/October 2009 Tornado Protection: Selecting Refuge Areas in Buildings

FEMA Technical Bulletin 2, Table 2. Types, Uses, and Classifications of Materials

#### REFERENCED RESOURCES

(a) *When Disaster Strikes* by the International Code Council, Inc., Seventh Printing: November 2011, copyright 2007

(b) *Disaster Mitigation: A Guide for Building Departments* by the International Code Council, Inc., copyright 2009

#### INDEX OF FIGURES:

<b>Figure AO103.3 Post Disaster Building Safety Evaluation Chart <sup>a</sup></b>	<b>10</b>
<b>Figure AO605.1 ATC-45 Rapid Evaluation Form</b>	<b>18</b>
<b>Figure AO605.2 ATC-45 Detail Evaluation Form</b>	<b>19</b>
<b>Figure AO605.3 Inspected Placard</b>	<b>21</b>
<b>Figure AO605.4 Restricted Placard</b>	<b>22</b>
<b>Figure AO605.5 Unsafe Placard</b>	<b>23</b>

#### INDEX

<b>B</b>	
<b>Best available refuge area</b>	Chapter 5, AO501.1, AO502.2, AO503
<b>C</b>	
<b>Connectors</b>	AO303.3
<b>Conventional Light-Frame Construction</b>	AO401.2.3
<b>E</b>	
<b>Emergency operation centers</b>	AO504.1
<b>Enclosure classification</b>	AO403.3
<b>Essential Facility</b>	AO103.3
<b>Evaluation</b>	
Detailed	AO103.2.1, AO103.3.2.2, AO103.4
Engineering	AO103.2.2, AO103.2.3, Figure 103.3
Rapid	AO103.2.1, AO103.4, Figure AO605.1
<b>Exposure</b>	AO403.2
<b>F</b>	
<b>Fasteners</b>	AO303.3
<b>Flood</b>	
500-Year	Chapter 2, AO302.1.2, AO302.1.3, AO302.1.4
Base	Chapter 2, AO302.1.1

Design	Chapter 2
Future-conditions	Chapter 2, AO302.1.1, AO302.1.2, AO302.1.3, AO302.1.4
<b>Flood Elevation</b>	
Advisory Base	Chapter 2, AO302.1.2, AO302.1.3, AO302.1.4
Base	Chapter 2, AO302.1.2, AO302.1.3, AO302.1.4
Design	Chapter 2, AO302.1.2, AO302.1.3, AO302.1.4
Futures-conditions	Chapter 2
<b>Flood Hazard Area</b>	AO102.1.1, Chapter 2, AO301.1, AO302.1, AO302.1.1
<b>Flood-(Damage)Resistant Material</b>	Chapter 2, AO303
<b>Freeboard</b>	Chapter 2, Chapter 3
<b>G</b>	
<b>Grade Schools</b>	AO504
<b>I</b>	
<b>Impact Resistant</b>	AO404.2, AO405.2, AO406.2
<b>Inspections</b>	AO103.1, AO103.2
<b>M</b>	
<b>Masonry</b>	
Empirical	AO401.2.1
Unreinforced	AO401.2.2
<b>O</b>	
<b>Opening Protection ..</b>	AO401.1, AO404.2, AO405.2, AO406.2
<b>P</b>	
<b>Placards</b>	AO103.2.1, AO103.5, Figure AO605.3, AO605.5
<b>S</b>	
<b>Safe rooms</b>	
Community	AO502.2
Occupant density	AO501.2, AO503.2
Residential	AO501.1, AO502, AO502.2
<b>Sample Ordinance</b>	Page 2, 3, and 4
<b>Storm shelters</b>	AO101.3.3, Table AO401.1, Chapter AO5
<b>Substantial alterations</b>	AO102.1.1
<b>Substantial improvements</b>	AO101.3.1, AO302.1.1
<b>T</b>	
<b>Table of Contents</b>	Page 7
<b>U</b>	
<b>Ultimate design wind speed</b>	AO404.1, AO405.1, AO406.1
<b>V</b>	
<b>Violations</b>	AO101.4
<b>W</b>	
<b>Wind Directionality Factor</b>	AO403.1
<b>Wind Load</b>	AO401, AO403, AO404, AO405, AO406

**End of Amendments.**

**Cite as** Ga. Comp. R. & Regs. R. 110-11-1-.24

**AUTHORITY:** O.C.G.A. § [8-2-20](#) *et seq.*

**HISTORY:** Original Rule entitled "International Building Code (IBC), 2012 Edition with 2014 Georgia State Amendments" adopted. F. Nov. 13, 2013; eff. Jan. 1, 2014, as specified by the Agency.

**Amended:** New title, "International Building Code (IBC), 2012 Edition with 2014 and 2015 Georgia State Amendments." F. Nov. 12, 2014; eff. Jan. 1, 2015, as specified by the Agency.

**Amended:** F. Nov. 17, 2016; eff. Jan. 1, 2017, as specified by the Agency.

**Amended:** New title, "International Building Code (IBC), 2012 Edition with 2014 and 2015 and 2017 and 2018 Georgia State Amendments." F. Nov. 21, 2017; eff. Jan. 1, 2018, as specified by the Agency.

**Amended:** New title, "International Building Code (IBC), 2018 Edition with 2020 Georgia State Amendments." F. Dec. 7, 2018; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** New title, "International Building Code (IBC), 2018 Edition with 2020 and 2022 Georgia State Amendments." F. Nov. 18, 2021; eff. Jan. 1, 2022, as specified by the Agency.

**110-11-1-.26 [Effective 1/1/2022] International Plumbing Code (IPC), 2018 Edition with 2020 and 2022 Georgia State Amendments**



# **Georgia State Amendments to the International Plumbing Code (2018 Edition)**



Georgia Department of Community Affairs  
Community Development Division  
60 Executive Park South, N.E.  
Atlanta, Georgia 30329-2231  
(404) 679-3118  
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**Revised January 1, 2022**

## GEORGIA STATE MINIMUM STANDARD PLUMBING CODE

### (INTERNATIONAL PLUMBING CODE WITH GEORGIA STATE AMENDMENTS)

The **INTERNATIONAL PLUMBING CODE, 2018 Edition**, published by the International Code Council, when used in conjunction with these and any other Georgia State Amendments to the **INTERNATIONAL PLUMBING CODE, 2018 Edition**, shall constitute the official *Georgia State Minimum Standard Plumbing Code*.

### GEORGIA STATE AMENDMENTS

#### CODE REFERENCE:

(a) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

(b) Replace all references to the *International Energy Conservation Code (IECC)* with references to the *Georgia State Minimum Standard Energy Code (IECC with Georgia State Supplements and Amendments)*. The *Georgia State Minimum Standard Energy Code* shall be used for efficiency and coefficient of performance ratings of equipment.

#### APPENDICES:

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

### GEORGIA STATE MINIMUM

#### REQUIREMENTS FOR BOILERS/WATER HEATERS AND PRESSURE VESSELS

The State's minimum requirements for boilers/water heaters and pressure vessels over 200,000 BTU/h (58.61 kW), 210 degrees Fahrenheit or 120 gallons capacity shall be established by O.C.G.A. Title 25, Chapter 15 and the Rules and Regulations of the Office of Insurance and Safety Fire Commissioner.

*\*Revise the International Plumbing Code, 2018 Edition, to read as follows:*

#### CHAPTER 5

#### WATER HEATERS

#### SECTION 506

#### MINIMUM CAPACITIES FOR RESIDENTIAL WATER HEATERS

\*Name Change Table 506 'Minimum Capacities for Residential Water Heaters' to 'Minimum First Hour Rating for Residential Water Heaters' and Revise to read as follows:

**TABLE 506 MINIMUM FIRST HOUR RATING FOR RESIDENTIAL WATER HEATERS** <sup>1,2,3</sup>

Number of Bathrooms	1 to 1.5			2 to 2.5				3 to 3.5			
Number of Bedrooms	1	2	3	2	3	4	5	3	4	5	6
First Hour Rating, in Gallons	38	49	49	49	62	62	74	62	74	74	74

FHR= First Hour Rating, 1 gal=3.7854 L, 1 gph=1.5 mL/s



1. Tankless Water Heaters shall be sized and installed per manufacturer's recommendations.
2. Water heaters for single family dwellings having more than six bedrooms and/or 3 1/2 baths shall be sized per manufacturer's recommendations.
3. Table 506 reflects the total minimum requirements for one or multiple water heating units.

(Effective January 1, 2022)



# **Georgia State Amendments to the International Plumbing Code (2018 Edition)**



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**Revised January 1, 2020**

## **GEORGIA STATE MINIMUM STANDARD PLUMBING CODE**

### **(INTERNATIONAL PLUMBING CODE WITH GEORGIA STATE AMENDMENTS)**

**The INTERNATIONAL PLUMBING CODE, 2018 Edition, published by the International Code Council, when used in conjunction with these and any other Georgia State Amendments to the INTERNATIONAL PLUMBING CODE, 2018 EDITION, shall constitute the official *Georgia State Minimum Standard Plumbing Code*.**

### **GEORGIA STATE AMENDMENTS**

#### **CODE REFERENCE:**

(c) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

(d) Replace all references to the *International Energy Conservation Code (IECC)* with references to the *Georgia State Minimum Standard Energy Code (IECC with Georgia State Supplements and Amendments)*. The *Georgia State Minimum Standard Energy Code* shall be used for efficiency and coefficient of performance ratings of equipment.

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Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

### **GEORGIA STATE MINIMUM**

#### **REQUIREMENTS FOR BOILERS/WATER HEATERS AND PRESSURE VESSELS**

The State's minimum requirements for boilers/water heaters and pressure vessels over 200,000 BTU/h (58.61 kW), 210 degrees Fahrenheit or 120 gallons capacity shall be established by O.C.G.A. Title 25, Chapter 15 and the Rules and Regulations of the Office of Insurance and Safety Fire Commissioner.

***\*Revise the International Plumbing Code, 2018 Edition, to read as follows:***

#### **CHAPTER 1**

##### **SCOPE AND ADMINISTRATION**

***\*Delete Chapter 1 'Scope and Administration' entirely without substitution. Chapter 1 to remain in the Code as a reference guide for local governments to use in development of their own *Administrative Procedures*.***

(Effective January 1, 2020)

#### **CHAPTER 2**

##### **DEFINITIONS**

##### **SECTION 202**

##### **GENERAL DEFINITIONS**

***\*Add new definition of 'High Efficiency Plumbing Fixtures and Fittings' to read as follows:***

##### **HIGH EFFICIENCY PLUMBING FIXTURES AND FITTINGS.**

**Dual flush water closet.** A dual flush water closet or toilet that the average flush volume of two reduced flushes and one full flush does not exceed 1.28 gallons and is listed to the WaterSense Tank-Type High Efficiency Toilet Specification.

**Kitchen faucet or kitchen faucet replacement aerator.** A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 2.0 gallons of water per minute.

**Lavatory faucet or lavatory faucet replacement aerator.** A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.5 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.

**Nonwater urinal.** A urinal that is designed to receive and convey only liquid waste through a trap seal into the gravity drainage system without the use of water for such function.

**Single flush water closet.** A single flush water closet or toilet, including gravity, pressure assisted and electro-hydraulic tank types, that the average flush volume does not exceed 1.28 gallons and is listed to the WaterSense Tank-Type High Efficiency Toilet Specification.

**Shower head.** A shower head that allows a flow of no more than the average of 2.5 gallons of water per minute at 60 pounds per square inch of pressure.

**Urinal.** A urinal and associated flush valve that uses no more than 0.5 gallons of water per flush and is listed to the WaterSense Specification for Flushing Urinals.

(Effective January 1, 2020)

\*Add new definition of 'Lavatory Faucet' to read as follows:

**LAVATORY FAUCET.** A faucet that discharges into a lavatory basin in a domestic or commercial installation.

(Effective January 1, 2020)

\*Revise the definition of 'Plumbing Fixture' to read as follows:

**PLUMBING FIXTURE.** A receptacle or device that receives water, waste or both and discharges water, waste, or both into a drainage system, and that is either permanently or temporarily connected to the water distribution system of the premises and demands a supply of water there-from; discharges wastewater, liquid-borne waste materials or sewage either directly or indirectly to the drainage system of the premises; or requires both a water supply connection and a discharge to the drainage system of the premises. The term includes a kitchen sink, utility sink, lavatory, bidet, bathtub, shower, urinal, toilet, water closet or drinking water fountain.

(Effective January 1, 2020)

\*Rename and revise the definition of 'Fixture Fitting' to read as follows:

**PLUMBING FIXTURE FITTING.** A device that controls and directs the flow of water or conveys sanitary waste. The term includes a sink faucet, lavatory faucet, showerhead, or bath filler.

**Supply fitting.** A fitting that controls the volume, direction of flow or both of water and is either attached to or accessed from a fixture or is used with an open or atmospheric discharge.

**Waste fitting.** A combination of components that conveys the sanitary waste from the outlet of a fixture to the connection to the sanitary drainage system.

(Effective January 1, 2020)

\*Add new definition of 'Pressurized Flushing Device' to read as follows:

**PRESSURIZED FLUSHING DEVICE.** A device that contains a valve that:

1. Is attached to a pressurized water supply pipe that is of sufficient size to deliver water at the necessary rate of flow to ensure flushing when the valve is open; and
2. Opens on actuation to allow water to flow into the fixture at a rate and in a quantity necessary for the operation of the fixture and gradually closes to avoid water hammer.

(Effective January 1, 2020)

\*Under definition of 'Sewer' revise 'Public Sewer' to read as follows:

## **SEWER**

**Public sewer.** That part of the drainage system of pipes installed or maintained by a city, township, county, public utility company or other public entity, on public property, in the street or in an approved dedicated easement of public or community use.

(Effective January 1, 2020)

\*Add new definition of 'Toilet' to read as follows:

**TOILET.** A water closet.

(Effective January 1, 2020)

\*Add new definition of 'Water Closet' to read as follows:

**WATER CLOSET.** A fixture with a water-containing receptor that receives liquid and solid body waste and on actuation conveys the waste through an exposed integral trap into a drainage system and which is also referred to as a toilet.

(Effective January 1, 2020)

\*Add new definition of 'WaterSense' to read as follows:

**WATERSENSE.** A voluntary program of the United States Environmental Protection Agency designed to identify and promote water efficient products and practices.

(Effective January 1, 2020)

\*Add new definition of 'WaterSense Listed Plumbing Fixture or Plumbing Fixture Fitting' to read as follows:

**WATERSENSE LISTED PLUMBING FIXTURE OR PLUMBING FIXTURE FITTING.** A plumbing fixture or plumbing fixture fitting that has been tested by an accredited third-party certifying body or laboratory in accordance with the WaterSense Program of the United States Environmental Protection Agency and has been listed (certified) by such body or laboratory as meeting the performance and efficiency requirements of the program and has been authorized by the program to use its label.

(Effective January 1, 2020)

## **CHAPTER 3**

### **GENERAL REGULATIONS**

\*Add new Section 300 'General Applicability Standards' to read as follows:

## SECTION 300

### GENERAL APPLICABILITY STANDARDS

300.1 **Scope.** The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within the state of Georgia. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the *International Fuel Gas Code*.

300.2 **Appendices.** Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

300.3 **Intent.** The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems.

300.4 **Severability.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

300.5 **General.** The provisions of this code shall apply to all matters affecting or relating to structures, as set forth in Section 300. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

300.6 **Maintenance.** All plumbing systems, materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe and sanitary condition. All devices or safeguards required by this code shall be maintained in compliance with the code edition under which they were installed.

The owner or the owner's designated agent shall be responsible for maintenance of plumbing systems. To determine compliance with this provision, the code official shall have the authority to require any plumbing system to be reinspected.

300.7 **Material and equipment reuse.** Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested, placed in good and proper working condition and approved.

(Effective January 1, 2020)

## SECTION 301

### GENERAL

\*Add new Section 301.1.1 'Requirements for high efficiency plumbing fixtures' to read as follows:

301.1.1 **Requirements for high efficiency plumbing fixtures.** The installation of high efficiency plumbing fixtures shall be required in all new construction.

(Effective January 1, 2020)

\* Add new Section 301.1.2 'Waiver for requirements of high efficiency plumbing fixtures' to read as follows:

301.1.2 **Waiver of requirements for high efficiency plumbing fixtures.** Counties and municipalities are permitted to adopt an ordinance that grants a waiver for an exemption to the requirements for the installation of high efficiency plumbing fixtures relative to new construction and to the repair or renovation of an existing building under the following conditions:

1. When the repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets, or shower heads within such existing building;

2. When such plumbing or sewerage system within such existing building, because of its capacity, design, or installation, would not function properly if the toilets, faucets, or shower heads required by this part were installed;

3. When such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individual's personal residence; or

4. When units to be installed are:

- a. Specifically designed for use by person with disabilities;
- b. Specifically designed to withstand unusual abuse or installation in a penal institution; or
- c. Toilets for juveniles.

(Effective January 1, 2020)

## **SECTION 305**

### **PROTECTION OF PIPES AND PLUMBING SYSTEM COMPONENTS**

\*Revise Section 305.4.1 'Sewer depth' to read as follows:

305.4.1 **Sewer depth.** Building sewers shall be a minimum of 6 inches (152.4 mm) below grade.

(Effective January 1, 2020)

## **SECTION 306**

### **TRENCHING, EXCAVATION AND BACKFILL**

\*Revise Section 306.3 'Backfilling' to read as follows:

306.3 **Backfilling.** Loose earth free from rocks, broken concrete, frozen chunks and other rubble, shall be placed in the trench in 6-inch (152.4 mm) layers and tamped in place until the crown of the pipe is covered by a minimum of 6 inches (152.4 mm) of tamped earth. The backfill under and beside the pipe shall be compacted for pipe support. Backfill shall be brought up evenly on both sides of the pipe so that the pipe remains aligned. In instances where the manufacturer's installation instructions for materials are more restrictive than those prescribed by the code, the material shall be installed in accordance with the more restrictive requirement.

(Effective January 1, 2020)

\*Add new Section 306.5 'Open trenches' to read as follows:

306.5 **Open trenches.** All excavations required to be made for the installation of a building sewer, building drainage system, or any part thereof within the walls of a building shall be open trench work and shall be kept open until the piping has been inspected, tested and approved.

(Effective January 1, 2020)

## **SECTION 311**

### **TOILET FACILITIES FOR WORKERS**

\*Delete Section 311 'Toilet Facilities for Workers' entirely without substitution.

(Effective January 1, 2020)

## SECTION 314

### CONDENSATE DISPOSAL

\*Delete Section 314 'Condensate Disposal' entirely without substitution.

(Effective January 1, 2020)

## CHAPTER 4

### FIXTURES, FAUCETS AND FIXTURE FITTINGS

#### SECTION 401

##### GENERAL

\*Add new Section 401.4 'Prohibited locations' to read as follows:

**401. 4 Prohibited locations.** No floor drains or other plumbing fixtures except electric water heaters shall be installed in a room containing air handling machinery when such room is used as a plenum.

**Exception:** Deep-seal trap floor drains consisting of a minimum 4-inch (102 mm) seal and supplied with a trap primer connected to a water distribution pipe shall be permitted.

(Effective January 1, 2020)

#### SECTION 403

##### MINIMUM PLUMBING FIXTURES

\*Revise Table 403.1 'Minimum Number of Required Plumbing Fixtures<sup>a</sup>' to delete the requirements for 'service sink' entirely without substitution.

(Effective January 1, 2020)

\*Revise Table 403.1 'Minimum Number of Required Plumbing Fixtures<sup>a</sup>' by adding the following requirement under the column labeled 'Other' for line number '7' descriptions:

**TABLE 403.1**

**Minimum Number of Required Plumbing Fixtures**

NO.	CLASSIFICATION	DESCRIPTION	WATER CLOSETS (Urinals: See Section 424.2)		LAVATORIES		BATHTUBS/ SHOWERS	Drinking Fountain (See Section 410)	OTHER
			Male	Female	Male	Female			
7	Residential	Apartment house	1 per dwelling unit		1 per dwelling unit		----	----	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units. Detached single-family.



NO.	CLASSIFICATION	DESCRIPTION	WATER CLOSETS (Urinals: See Section 424.2)		LAVATORIES		BATHTUBS/ SHOWERS	Drinking Fountain (See Section 410)	OTHER
			Male	Female	Male	Female			
									duplex and multi-family dwelling structures three stories or less in height shall have not less than two exterior hose bibs, sill cocks or outside hydrants with one being located on the side or rear of the structure.
		One-and two-family dwellings and lodging houses with five or fewer guestrooms	1 per dwelling unit		1 per dwelling unit		1 per dwelling unit	----	1 kitchen sink per dwelling unit, 1 automatic clothes washer connection per dwelling unit. Detached single-family, duplex and multi-family dwelling structures three stories or less in height shall have not less than two exterior hose bibs, sill cocks or outside hydrants with one being located on the side or rear of the structure

Remainder of table remains unchanged.

(Effective January 1, 2020)

\*Revise exception of Section 403.3.3 'Location of toilet facilities in occupancies other than malls' to read as follows:

#### 403.3.3 Location of toilet facilities in occupancies other than malls.

**Exception:** The location and maximum travel distances to required employee toilet facilities in factory, storage and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum travel distance are approved.

(Effective January 1, 2020)

## SECTION 406

## AUTOMATIC CLOTHES WASHERS

\*Revise Section 406.2 'Waste connection' to read as follows:

**406.2 Waste connection.** The waste from an automatic clothes washer shall discharge through an air break into a standpipe in accordance with Section 802.4 or into a laundry sink. The trap and fixture drain for an automatic clothes washer standpipe shall be a minimum of 2 inches (51 mm) in diameter. The automatic clothes washer fixture drain shall connect to a building drain, branch drain or drainage stack a minimum of 3 inches (76 mm) in diameter. Automatic clothes washers that discharge by gravity shall be permitted to drain to a trench drain.

(Effective January 1, 2020)

## SECTION 410

### DRINKING FOUNTAINS

\*Revise Section 410.2 'Small occupancies' to read as follows:

**410.2 Small occupancies.** Drinking fountains shall not be required for an occupant load of 25 or fewer.

(Effective January 1, 2020)

## SECTION 412

### FAUCETS AND OTHER FIXTURE FITTINGS

\*Revise Section 412.1 'Approval' to add a new paragraph at the end of the section:

**412.1 Approval.** Faucets and fixture fittings shall conform to ASME A112.18.1/CSA B125.1. Faucets and fixture fittings that supply drinking water for human ingestion shall conform to the requirements of NSF 61, Section 9. Flexible water connectors exposed to continuous pressure shall conform to the requirements of Section 605.6.

High efficiency lavatory faucets or lavatory faucet replacement aerators in private use, such as, in residences and apartments, and private (nonpublic) restrooms in hotels and hospitals shall be listed to the WaterSense High Efficiency Lavatory Faucet Specification.

**412.1.1 Faucets and supply fittings.** Faucets and supply fittings shall conform to the water consumption requirements of Section 604.4.

**412.1.2 Waste fittings.** Waste fittings shall conform to ASME A112.18.2/CSA B125.2, ASTM F 409 or to one of the standards listed in Tables 702.1 and 702.4 for above-ground drainage and vent pipe and fittings.

(Effective January 1, 2020)

## SECTION 419

### LAVATORIES

\*Revise Section 419.5 'Tempered water for public hand-washing facilities' to read as follows:

**419.5 Tempered water for public hand-washing facilities.** *Tempered water* may be delivered from lavatories and group wash fixtures located in public toilet facilities provided for customers, patrons and visitors. If provided, tempered water shall be delivered through an *approved* water-temperature limiting device that conforms to ASSE 1070/ASME A112.70/CSA B125.70 or CSA B125.3.

(Effective January 1, 2020)

## SECTION 424

### URINALS

\*Revise Section 424.1 'Approval' to read as follows:

424.1 **Approval.** Urinals shall conform to ANSI Z124.9, ASME A112.19.2/CSA B45.1, ASME A112.19.19 or CSA B45.5. Urinals shall conform to the water consumption requirements of Section 604.4. Water-supplied urinals shall conform to the hydraulic performance requirements of ASME A112.19.2/CSA B45.1 or CSA B45.5. High efficiency urinals with pressurized flushing devices and flush tank (gravity type) flushing devices shall be listed to the WaterSense Specification for Flushing Urinals and shall conform to ASME A112.19.2/CSA B45.1. Non-water urinals shall conform to ASME A112.19.3/CSA B45.4 or A112.19.19, CSA B45.4. Where non-water urinals are employed, they shall be cleaned and maintained in accordance with the manufacturer's instructions after installation. Where nonwater urinals are installed they shall have a properly sized water distribution line roughed-in to the urinal location at a minimum height of 56 inches (1,422 mm) to allow for the installation of an approved backflow prevention device in the event of a retrofit. Such water distribution lines shall be installed with shut-off valves located as close as possible to the distributing main to prevent the creation of dead ends. Where nonwater urinals are installed, a minimum of one water supplied fixture rated at a minimum of one water supply fixture unit shall be installed upstream on the same drain line to facilitate drain line flow and rinsing.

(Effective January 1, 2020)

## SECTION 425

### WATER CLOSETS

\*Revise Section 425.1 'Approval' to read as follows:

425.1 **Approval.** Water closets shall conform to the water consumption requirements of Section 604.4 and shall conform to ANSI Z124.4, ASME A112.19.2/CSA B45.1, ASME A 112.19.3/CSA B45.4 or CSA B45.5. Water closets shall conform to the hydraulic performance requirements of ASME A112.19.2/CSA B45.1. Water closet tanks shall conform to ANSI Z124.4, ASME A112.19.2/CSA B45.1, ASME A 112.19.3/CSA B45.4 or CSA B45.5. Electro-hydraulic water closets shall comply with ASME A112.19.2/CSA B45.1. High efficiency single flush and dual-flush toilets or water closets shall conform to ASME A112.19.2/CSA B45.1 and ASME A112.19.14.

(Effective January 1, 2020)

## CHAPTER 5

### WATER HEATERS

#### SECTION 501

##### GENERAL

\*Add new Section 501.9 'Water heaters over 200,000 BTU/h' to read as follows:

501.9 **Water heaters over 200,000 BTU/h.** The State's minimum requirements for boilers/water heaters and pressure vessels over 200,000 BTU/h (58.61 kW), 210 degrees Fahrenheit or 120 gallons capacity shall be established by O.C.G.A. Title 25, Chapter 15 and the Rules and Regulations of the Office of Insurance and Safety Fire Commissioner.

(Effective January 1, 2020)

## SECTION 504

### SAFETY DEVICES

\*Revise Section 504.6 'Requirements for discharge piping' to read as follows:

**504.6 Requirements for discharge piping.** The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the *airgap*.
3. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
4. Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor or to the outdoors.
5. Discharge in a manner that does not cause personal injury or structural damage.
6. Discharge to a termination point that is readily observable by the building occupants.
7. When the relief valve discharge piping goes upward, a thermal expansion control device shall be installed on the cold-water distribution or service pipe in accordance with Section 607.3. If the discharge pipe is trapped, provisions shall be made to drain the low point of the trapped portion of the discharge pipe.
8. Terminate not more than 6 inches (152 mm) above and not less than two times the discharge pipe diameter above the floor or *flood level rim* of the waste receptor.
9. Not have a threaded connection at the end of such piping.
10. Not have valves or tee fittings.
11. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.
12. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed with insert fittings. The outlet end of such tubing shall be fastened in place.

(Effective January 1, 2020)

\*Add new Section 506 'Minimum Capacities for Residential Water Heaters' to read as follows:

## SECTION 506

### MINIMUM CAPACITIES FOR RESIDENTIAL WATER HEATERS

**506.1 General.** Water heaters installed in residential occupancies shall be sized in accordance with Table 506 or the manufacturer's recommendations. The water heater must at a minimum meet the First Hour Rating (FHR) requirements of Table 506.

(Effective January 1, 2020)

TABLE 506 MINIMUM CAPACITIES FOR RESIDENTIAL WATER HEATERS <sup>1, 2, 3</sup>								
Fuel	Gas	Elec	Gas	Elec	Gas	Elec	Gas	Elec

<b>TABLE 506</b>									
<b>MINIMUM CAPACITIES FOR RESIDENTIAL WATER HEATERS<sup>1, 2, 3</sup></b>									
# of Bedrooms		1		2		3		---	
1 to 1 ½ Baths	FHR (gal)	40	40	45	45	48	48	---	---
# of Bedrooms		2		3		4		5	
2 to 2 ½ Baths	FHR (gal)	47	47	60	60	62	62	70	70
# of Bedrooms		3		4		5		6	
3 to 3 ½ Baths	FHR (gal)	60	60	67	67	70	70	72	72

FHR= First Hour Rating, 1 gal=3.7854 L, 1 gph=1.05 mL/s

1. Tankless Water Heaters shall be sized and installed per manufacturer's recommendations.
2. Water heaters for single family dwellings having more than six bedrooms and/or 3 ½ baths shall be sized per manufacturer's recommendations.
3. Table 506 reflects the minimum requirements for one or multiple water heating units.

**(Effective January 1, 2020)**

\*Add new Table 506 'Minimum Capacities for Residential Water Heaters' to read as follows:

## **CHAPTER 6**

### **WATER SUPPLY AND DISTRIBUTION**

#### **SECTION 604**

##### **DESIGN OF BUILDING**

##### **WATER DISTRIBUTION SYSTEM**

\* Revise Table 604.4 'Maximum Flow Rates and Consumption for Plumbing Fixtures and Fixture Fittings' to read as follows:

**TABLE 604.4**

#### **MAXIMUM FLOW RATES AND CONSUMPTION FOR PLUMBING FIXTURES AND FIXTURE FITTINGS**

<b>PLUMBING FIXTURE OR FIXTURE FITTING</b>	<b>MAXIMUM FLOW RATE OR QUANTITY<sup>b</sup></b>
Lavatory, private	1.5 <sup>f</sup> gpm at 60 psi
Lavatory, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Shower head <sup>a</sup>	2.5 gpm at 60 <sup>f</sup> psi
Sink faucet	2.0 <sup>f</sup> gpm at 60 psi
Urinal	0.5 <sup>f</sup> gallons per flushing cycle
Water closet	1.28 <sup>c, d, e, f</sup> gallons per flushing cycle

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m, 1 pound per square inch = 6.895 kPa.

- a. A hand-held shower spray is a shower head.
- b. Consumption tolerances shall be determined from referenced standards.
- c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.
- d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.
- e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.
- f. See 2020 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures.'

**(Effective January 1, 2020)**

## **SECTION 605**

### **MATERIALS, JOINTS AND CONNECTIONS**

\*Revise Section 605.9 'Prohibited joints and connections' to add a new exception to Item 4. 'Saddle-type fittings' to read as follows:

#### **605.9 Prohibited joints and connections.**

- 4. Saddle-type fittings.

**Exception:** Saddle-type fittings can be used to connect refrigerator ice makers and humidifiers to an existing residential unit water distribution system provided that the manufacturer's installation instructions for the distribution piping do not prohibit the use of saddle fittings.

**(Effective January 1, 2020)**

\*Revise Section 605.12.3 'Soldered joints' to read as follows:

**605.12.3 Soldered joints.** Solder joints shall be made in accordance with the methods of ASTM B 828 except a flux conforming to NSF 61 shall be used. Cut tube ends shall be reamed to the full inside diameter of the tube end. Joint surfaces shall be cleaned. The joint shall be soldered with a solder conforming to ASTM B 32. The joining of water supply piping shall be made with lead-free solder and fluxes. "Lead free" shall mean a chemical composition equal to or less than 0.2-percent lead.

**(Effective January 1, 2020)**

\*Revise Section 605.13.6 'Soldered joints' to read as follows:

**605.13.6 Soldered joints.** Solder joints shall be made in accordance with the methods of ASTM B 828 except a flux conforming to NSF 61 shall be used. All cut tube ends shall be reamed to the full inside diameter of the tube end. All joint surfaces shall be cleaned. The joint shall be soldered with a solder conforming to ASTM B 32. The joining of water supply piping shall be made with lead-free solders and fluxes. "Lead free" shall mean a chemical composition equal to or less than 0.2-percent lead.

**(Effective January 1, 2020)**

## **SECTION 606**

## INSTALLATION OF THE BUILDING

### WATER DISTRIBUTION SYSTEM

\*Revise Section 606.2 'Location of shutoff valves' to add new Location #4 to read as follows:

#### 606.2 Location of shutoff valves.

4. Shutoff valves to water supplies for refrigerators with automatic icemakers shall have access on the same floor as said refrigerators.

(Effective January 1, 2020)

### SECTION 607

#### HOT WATER SUPPLY SYSTEM

\*Revise Section 607.1 'Where required' to read as follows:

607.1 **Where required.** In residential occupancies, hot water shall be supplied to plumbing fixtures and equipment utilized for bathing, washing, culinary purposes, cleansing, laundry or building maintenance. In nonresidential occupancies, hot water shall be supplied for culinary purposes, cleansing, laundry or building maintenance purposes. In nonresidential occupancies, hot water or tempered water shall be supplied for bathing and washing purposes except for hand-washing facilities. Accessible hand washing facilities regardless of the facility shall not be required to be supplied with hot water or tempered water.

(Effective January 1, 2020)

### SECTION 608

#### PROTECTION OF POTABLE WATER SUPPLY

\*Revise Section 608.17.5 'Connections to lawn irrigation systems' to read as follows:

608.17.5 **Connections to lawn irrigation systems.** The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check backflow prevention assembly or a reduced pressure principle backflow preventer. Valves shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system interconnected chemical dispensers are used in conjunction with the lawn irrigation systems, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Effective January 1, 2020)

### SECTION 610

#### DISINFECTION OF POTABLE WATER SYSTEM

\*Revise Section 610.1 'General' to read as follows:

610.1 **General.** New or repaired potable water systems shall be flushed and purged of deleterious matter and disinfected prior to utilization. The method to be followed shall be that prescribed by the health authority or water purveyor having jurisdiction. Systems that cannot be adequately flushed and purged may require disinfection in accordance with a prescribed method. In the absence of a prescribed method, the procedure described in either AWWA C651 or AWWA C652, or as described in this section shall apply. This requirement shall apply to "on-site" or "in-plant" fabrication of a system or to a modular portion of a system.

1. The pipe system shall be flushed with clean, potable water until dirty water does not appear at the points of outlet.

2. The system or part thereof shall be filled with a water/chlorine solution containing not less than 50 parts per million (50 mg/L) of chlorine, and the system or part thereof shall be valved off and allowed to stand for 24 hours; or the system or part thereof shall be filled with a water/chlorine solution containing not less than 200 parts per million (200 mg/L) of chlorine and allowed to stand for 3 hours.

3. Following the required standing time, the system shall be flushed with clean potable water until the chlorine is purged from the system.

4. The procedure shall be repeated where shown by a bacteriological examination.

(Effective January 1, 2020)

## **CHAPTER 7**

### **SANITARY DRAINAGE**

#### **SECTION 705**

##### **JOINTS**

\*Revise Section 705.10.2 'Solvent cementing' to read as follows:

705.10.2 **Solvent cementing.** Joint surfaces shall be clean and free from moisture. If a primer is required by the solvent manufacturer, a purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

(Effective January 1, 2020)

#### **SECTION 706**

##### **CONNECTIONS BETWEEN DRAINAGE PIPING AND FITTINGS**

\*Revise Section 706.3 'Installation of fittings' to read as follows and delete the exception:

706.3 **Installation of fittings.** Fittings shall be installed to guide sewage and waste in the direction of flow. Change in direction shall be made by fittings installed in accordance with Table 706.3. Change in direction by combination fittings, side inlets or increasers shall be installed in accordance with Table 706.3 based on the pattern of flow created by the fitting. Double sanitary tee patterns shall not receive the discharge of back-to-back fixtures or appliances with pressure or pumping action discharge. Water closets shall not be combined with fixtures other than water closets on a double drainage fitting.

(Effective January 1, 2020)

\*Delete Section 706.4 'Heel- or side-inlet quarter bends' entirely without substitution.

(Effective January 1, 2020)

#### **SECTION 708**

##### **CLEANOUTS**

\*Revise Section 708.1.2 'Building sewers' to read as follows:

708.1.2 **Building sewers.** Building sewers shall be provided with cleanouts located not more than 100 feet (30480 mm) apart measured from the upstream entrance of the cleanout. An additional cleanout shall be



provided within 10 feet (3048 mm) of the public right of way. For building sewers 8 inches (203 mm) and larger, manholes shall be provided and located at each change in direction and at intervals of not more than 400 feet (122 m). Manholes and manhole covers shall be of an approved type.

(Effective January 1, 2020)

\*Revise Section 708.1.3 'Building drain and building sewer junction' to read as follows:

**708.1.3 Building drain and building sewer junction.** There shall be a cleanout installed at or near the junction of the building drain and the building sewer. The cleanout shall be outside the building wall unless otherwise approved and shall be brought up to finished ground level. An approved two-way cleanout is allowed to be used at this location to serve as a required cleanout for both the building drain and building sewer.

(Effective January 1, 2020)

\*Revise Section 708.1.5 'Cleanout size' to read as follows:

**708.1.5 Cleanout size.** Cleanouts shall be the same nominal size as the pipe they are connected to except that cleanouts for pipes larger than 4 inches (102 mm) need not be larger than 4 inches (102 mm).

**Exceptions:**

1. A removable P-trap with slip or ground joint connections can serve as a clean-out for drain piping that is one size larger than the P-trap size.
2. Cleanouts located on *stacks* can be one size smaller than the stack size.
3. The size of cleanouts for cast-iron piping can be in accordance with the referenced standards for cast-iron fittings as indicated in Table 702.4.

(Effective January 1, 2020)

## **CHAPTER 9**

### **VENTS**

#### **SECTION 903**

##### **VENT TERMINALS**

\*Revise Section 903.1 'Roof extension' to read as follows:

**903.1 Roof extension.** Open vent pipes that extend through a roof shall be terminated not less than 6 inches (155 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall terminate not less than 7 feet (2134 mm) above the roof.

(Effective January 1, 2020)

\*Delete exception to Section 909.1 'Distance of trap from vent' entirely without substitution.

(Effective January 1, 2020)

#### **SECTION 913**

##### **WASTE STACK VENT**

\* Revise Section 913.2 'Stack installation' to read as follows:

913.2 **Stack installation.** The waste stack shall be vertical. *Fixture* drains shall connect separately to the waste stack. The stack shall not receive the discharge of water closets or urinals.

(Effective January 1, 2020)

## **SECTION 914**

### **CIRCUIT VENTING**

\*Revise Section 914.2 'Vent connection' to read as follows:

914.2 **Vent connection.** The circuit vent connection shall be located between the two most upstream fixture drains. The vent shall connect to the horizontal branch and shall be installed in accordance with Section 905. The circuit vent may receive waste discharge from fixtures located within the same branch interval, provided that the wet portion remains the same size as the horizontal branch.

(Effective January 1, 2020)

## **CHAPTER 10**

### **TRAPS, INTERCEPTORS AND SEPARATORS**

#### **SECTION 1002**

##### **TRAP REQUIREMENTS**

\*Revise first paragraph of Section 1002.1 'Fixture traps' to read as follows:

1002.1 **Fixture traps.** Each plumbing fixture shall be separately trapped by a water-seal trap, except as otherwise permitted by this code. The trap shall be placed as close as possible to the fixture outlet. The vertical distance from the fixture outlet to the trap weir shall not exceed 24 inches (610 mm). The distance of a clothes washer standpipe above a trap shall conform to Section 802.4.3. A fixture shall not be double trapped. Remainder of section unchanged.

(Effective January 1, 2020)

## **CHAPTER 13**

### **NONPOTABLE WATER SYSTEMS**

#### **SECTION 1304**

##### **RECLAIMED WATER SYSTEMS**

\* Add new Section 1304.3.2 'Connections to water supply' to read as follows:

1304.3.2 **Connections to water supply.** Reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division.

(Effective January 1, 2020)

## CHAPTER 14

### SUBSURFACE LANDSCAPE IRRIGATIONS SYSTEMS

#### SECTION 1401

##### GENERAL

\*Add new Section 1401.7 'Gray water' to read as follows:

**1401.7 Gray water.** Gray water may be used for subsurface irrigation of landscape and shall be permitted by the local county health department in accordance with Georgia Department of Human Resources regulations as a separate onsite sewage management system. Permits and inspections are required by the local county health department.

(Effective January 1, 2020)

## CHAPTER 15

### REFERENCED STANDARDS

\*Revise Chapter 15 'Referenced standards' to add the following new reference standards for WaterSense:

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## WATERSENSE

WaterSense  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

**WaterSense: Tank-Type High Efficiency Toilet Specification**

202, 420.1

**WaterSense: Specification for Flushing Urinals**

202, 419.1

**WaterSense: High-Efficiency Lavatory Faucet Specification**

202

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**End of Amendments.**

**Cite as** Ga. Comp. R. & Regs. R. 110-11-1-.26

**AUTHORITY:** O.C.G.A. § [8-2-20](#) *et seq.*

**HISTORY:** Original Rule entitled "International Plumbing Code (IPC), 2012 Edition with 2014 Georgia State Amendments" adopted. F. Nov. 13, 2013; eff. Jan. 1, 2014, as specified by the Agency.

**Amended:** New title "International Plumbing Code (IPC), 2012 Edition with 2014 and 2015 Georgia State Amendments." F. Nov. 12, 2014; eff. Jan. 1, 2015, as specified by the Agency.

**Amended:** New title "International Plumbing Code (IPC), 2018 Edition with 2020 Georgia State Amendments." F. Oct. 30, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** New title, "International Plumbing Code (IPC), 2018 Edition with 2020 and 2022 Georgia State Amendments." F. Nov. 18, 2021; eff. Jan. 1, 2022, as specified by the Agency.

**110-11-1-.28 [Effective 1/1/2022] International Fuel Gas Code (IFGC), 2018 Edition with 2020 and 2022 Georgia State Amendments**



# **Georgia State Amendments to the International Fuel Gas Code**

**(2018 Edition)**



Georgia Department of Community Affairs  
Community Development Division  
60 Executive Park South, N.E.  
Atlanta, Georgia 30329-2231  
(404) 679-3118  
[www.dca.ga.gov](http://www.dca.ga.gov)

**Revised January 1, 2022**

## GEORGIA STATE MINIMUM STANDARD GAS CODE

### (INTERNATIONAL FUEL GAS CODE WITH GEORGIA STATE AMENDMENTS)

The INTERNATIONAL FUEL GAS CODE, 2018 Edition, published by the International Code Council, when used in conjunction with these and any other Georgia State Amendments to the INTERNATIONAL FUEL GAS CODE, 2018 Edition, shall constitute the official *Georgia State Minimum Standard Gas Code*.

## GEORGIA STATE AMENDMENTS

### CODE REFERENCE:

(a) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

*\*Revise the International Fuel Gas Code, 2018 Edition, to read as follows:*

## CHAPTER 4

### GAS PIPING INSTALLATIONS

#### SECTION 409 (IFGC)

##### SHUTOFF VALVES

\*Add new Section 409.2.1 'System shutoff valve' to read as follows:

409.2.1 **System shutoff valve.** Where the point of delivery is the outlet of the service meter assembly, or the outlet of the service regulator, a system shutoff valve shall be installed. Such valve is considered to be part of the customer piping system.

(Effective January 1, 2022)

# **Georgia State Amendments to the International Fuel Gas Code (2018 Edition)**



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## GEORGIA STATE AMENDMENTS

### CODE REFERENCE:

(b) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

*\*Revise the International Fuel Gas Code, 2018 Edition, to read as follows:*

## CHAPTER 1

### SCOPE AND ADMINISTRATION

\*Delete Chapter 1 'Scope and Administration' without substitution. Chapter 1 to remain in the Code as a reference and guide for local governments to use in development of their own *Administrative Procedures*.

(Effective January 1, 2020)

## CHAPTER 2

### DEFINITIONS

#### SECTION 202 (IFGC)

##### GENERAL DEFINITIONS

\*Delete the following definitions from Section 202 'General Definitions' without substitution:

**[P] THIRD-PARTY CERTIFICATION AGENCY.**

**[P] THIRD-PARTY CERTIFIED.**

**[P] THIRD-PARTY TESTED.**

(Effective January 1, 2020)

\*Revise Section 202 'General Definitions' **POINT OF DELIVERY** to read as follows:

**POINT OF DELIVERY.** For natural gas systems, the point of delivery is the outlet of the service meter assembly or the outlet of the service regulator or service shutoff valve where a meter is not provided. Where a system shutoff valve is provided at the outlet of the service meter assembly, such valve shall be considered to be downstream of the point of delivery. For undiluted liquefied petroleum gas systems, the point of delivery shall be considered to be the outlet of the service pressure regulator, exclusive of line gas regulators, in the system.

(Effective January 1, 2020)

\*Revise Section 202 'General Definitions' to add new definition **SERVICE METER ASSEMBLY** to read as follows:

**SERVICE METER ASSEMBLY.** The meter, valve, regulator, piping, fittings and equipment installed by the service gas supplier before the point of delivery.

(Effective January 1, 2020)

\*Revise Section 202 'General Definitions' to add new definition **System Shutoff** to the **VALVE** section to read as follows:

**System shutoff.** A valve installed at the point of delivery to shut off the entire piping system.

(Effective January 1, 2020)

## **CHAPTER 3**

### **GENERAL REGULATIONS**

\*Add new Section 300 (IFGC) 'GENERAL APPLICABILITY STANDARDS' to read as follows:

#### **SECTION 300 (IFGC)**

##### **GENERAL APPLICABILITY STANDARDS**

**300.1 Scope.** This code shall apply to the installation of fuel-gas *piping* systems, fuel gas appliances, gaseous hydrogen systems and related accessories in accordance with Sections 300.1.1 through 300.1.5.

**Exception:** Detached one- and two-family dwellings and townhouses separated by a 2-hour fire-resistance-rated wall assembly, not more than three stories above *grade plane* in height with a separate means of egress and their accessory structures shall comply with the *Georgia State Minimum Standard One and Two Family Dwelling Code (International Residential Code for One- and Two- Family Dwellings with Georgia State Amendments)*

**300.1.1 Gaseous hydrogen systems.** Gaseous hydrogen systems shall be regulated by Chapter 7.

**300.1.2 Piping systems.** These regulations cover *piping* systems for natural gas with an operating pressure of 125 pounds per square inch gauge (psig) (862 kPa gauge) or less, and for LP-gas with an operating pressure of 20 psig (140 kPa gauge) or less, except as provided in Section 402.7. Coverage shall extend from the *point of delivery* to the outlet of the *appliance* shutoff valves. *Piping* system requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection, operation and maintenance.

**300.1.3 Gas appliances.** Requirements for gas appliances and related accessories shall include installation, combustion and ventilation air and venting and connections to *piping* systems.

**300.1.4 Systems, appliances and equipment outside the scope.** This code shall not apply to the following:

1. Portable LP-gas appliances and *equipment* of all types that is not connected to a fixed fuel *piping* system.
2. Installation of farm appliances and *equipment* such as brooders, dehydrators, dryers and irrigation *equipment*.
3. Raw material (feedstock) applications except for *piping* to special atmosphere generators.
4. Oxygen-fuel gas cutting and welding systems.
5. Industrial gas applications using gases such as acetylene and acetylenic compounds, hydrogen, ammonia, carbon monoxide, oxygen and nitrogen.



6. Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms and natural gas processing plants.
7. Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by, or used in, chemical reactions.
8. LP-gas installations at utility gas plants.
9. Liquefied natural gas (LNG) installations.
10. Fuel gas *pipng* in power and atomic energy plants.
11. Proprietary items of *equipment*, apparatus or instruments such as gas-generating sets, compressors and calorimeters.
12. LP-gas *equipment* for vaporization, gas mixing and gas manufacturing.
13. Temporary LP-gas *pipng* for buildings under construction or renovation that is not to become part of the permanent *pipng* system.
14. Installation of LP-gas systems for railroad switch heating.
15. Installation of hydrogen gas, LP-gas and compressed natural gas (CNG) systems on vehicles.
16. Except as provided in Section 401.1.1, gas *pipng*, meters, gas pressure regulators and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-gas.
17. Building design and construction, except as specified herein.
18. *Pipng* systems for mixtures of gas and air within the flammable range with an operating pressure greater than 10 psig (69 kPa gauge).
19. Portable fuel cell appliances that are neither connected to a fixed *pipng* system nor interconnected to a power grid.

300.1.5 **Other fuels.** The requirements for the design, installation, maintenance, *alteration* and inspection of mechanical systems operating with fuels other than fuel gas shall be regulated by the *International Mechanical Code*.

300.2 **Appendices.** Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the Authority Having Jurisdiction.

300. 3 **Intent.** The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems.

300.4 **Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

(Effective January 1, 2020)

## CHAPTER 4

### GAS PIPING INSTALLATIONS

#### SECTION 404 (IFGC)

#### PIPING SYSTEM INSTALLATION

\*Delete Section 404.6 'Underground penetrations prohibited' and substitute to read as follows:

**404.6 Piping through foundation wall.** Underground piping where installed below grade through the foundation or basement wall of a building, shall be encased in a protective pipe sleeve. The annular space between the gas piping and the sleeve shall be sealed.

(Effective January 1, 2020)

\*Revise Section 404.7.1 'Piping through holes or notches' to read as follows:

**404.7.1 Piping through holes or notches.** Where piping is installed through holes or notches in framing members and the piping is located less than 1 1/2 inches (38 mm) from the framing member face to which wall, ceiling or floor membranes will be attached, the pipe shall be protected by shield plates that cover the width of the pipe and the framing member. Where the framing member that the piping passes through is a bottom plate, bottom track, top plate or top track, the shield plates shall cover the framing member and extend not less than 4 inches (102 mm) above the bottom framing member and not less than 4 inches (102 mm) below the top framing member.

(Effective January 1, 2020)

\*Delete Section 404.7.2 'Piping installed in other locations' without substitution.

(Effective January 1, 2020)

\*Delete Section 404.11.1 'Galvanizing' without substitution.

(Effective January 1, 2020)

\*Revise Section 404.18 'Pipe cleaning' to read as follows:

**404.18 Pipe debris removal.** The interior of piping shall be clear of debris. The use of a flammable or combustible gas to clean or remove debris from a piping system shall be prohibited.

(Effective January 1, 2020)

## **SECTION 406 (IFGS)**

### **INSPECTION, TESTING AND PURGING**

\*Revise Section 406.6.2 'Before turning gas on' heading to read as follows:

**406.6.2 Turning gas on.** (Remainder of section unchanged)

(Effective January 1, 2020)

## **SECTION 412 (IFGC)**

### **LIQUEFIED PETROLEUM GAS MOTOR VEHICLE FUEL-DISPENSING FACILITIES**

\*Delete Section 412 'LIQUEFIED PETROLEUM GAS MOTOR VEHICLE FUEL-DISPENSING FACILITIES' and substitute to read as follows:

**412.1 General.** Under Georgia law, the Rules and Regulations of the Georgia Safety Fire Commissioner's Office govern the storage, delivery and dispensing of Liquefied Petroleum Gas. Refer to the Rules and Regulations of the Georgia Safety Fire Commissioner's Office and NFPA 58 as adopted and amended for all requirements concerning liquefied petroleum gas motor vehicle fuel-dispensing facilities.

(Effective January 1, 2020)

## **SECTION 413 (IFGC)**

### **COMPRESSED NATURAL GAS MOTOR VEHICLE FUEL-DISPENSING FACILITIES**

\*Delete Section 413 'COMPRESSED NATURAL GAS MOTOR VEHICLE FUEL-DISPENSING FACILITIES' and substitute to read as follows:

413.1 **General.** Under Georgia law, the Rules and Regulations of the Georgia Safety Fire Commissioner govern the storage, delivery and dispensing of compressed natural gas. Refer to the Rules and Regulations of the Georgia Safety Fire Commissioner and NFPA 52 as adopted and amended for all requirements concerning compressed natural gas motor vehicle fuel-dispensing stations.

(Effective January 1, 2020)

## **CHAPTER 6**

### **SPECIFIC APPLIANCES**

## **SECTION 624 (IFGC)**

### **WATER HEATERS**

\*Add new Section 624.3 'Boilers/water heaters' to read as follows:

624.3 **Boilers/water heaters.** The State's minimum requirements for boilers/water heaters and pressure vessels over 200,000 BTU/h (58.61 kW), 210 degrees Fahrenheit or 120 gallons capacity shall be established by O.C.G.A. Title 25, Chapter 15 and the Rules and Regulations as amended and adopted of the Georgia Safety Fire Commissioner.

(Effective January 1, 2020)

## **SECTION 631 (IFGC)**

### **BOILERS**

\*Add new Section 631.4 'Additional regulations' to read as follows:

631.4 **Additional regulations.** For additional regulations regarding boilers/water heaters, see Section 624.3 (GA Amendments).

(Effective January 1, 2020)

## **CHAPTER 8 (IFGC/IFGS)**

### **REFERENCED STANDARDS**

\*Revise reference standard as follows:

## **ANSI**

Standard Reference Number	Title	Referenced in code section number
LC 1/CSA 6.26--2018	Fuel Gas Piping Systems Using Corrugated Stainless Steel Tubing (CSST)	403.5.5

(Effective January 1, 2020)

**End of Amendments.**

**Cite as** Ga. Comp. R. & Regs. R. 110-11-1-.28

**AUTHORITY:** O.C.G.A. § [8-2-20](#) *et seq.*

**HISTORY:** Original Rule entitled "International Fuel Gas Code (IFGC), 2012 Edition with 2014 Georgia State Amendments" adopted. F. Nov. 13, 2013; eff. Jan. 1, 2014, as specified by the Agency.

**Amended:** New title "International Fuel Gas Code (IFGC), 2012 Edition with 2014 and 2015 Georgia State Amendments." F. Nov. 12, 2014; eff. Jan. 1, 2015, as specified by the Agency.

**Amended:** New title "International Fuel Gas Code (IFGC), 2018 Edition with 2020 Georgia State Amendments." F. Oct. 30, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** New title, "International Fuel Gas Code (IFGC), 2018 Edition with 2020 and 2022 Georgia State Amendments." F. Nov. 18, 2021; eff. Jan. 1, 2022, as specified by the Agency.

**110-11-1-.34 [Effective 1/1/2022] International Energy Conservation Code (IECC), 2015 Edition with 2020 and 2022 Georgia State Amendments**



# **Georgia State Supplements and Amendments to the International Energy Conservation Code (2015 Edition)**

Georgia Department of Community Affairs  
Community Development Division  
60 Executive Park South, N.E.  
Atlanta, Georgia 30329-2231  
(404) 679-3118  
[www.dca.ga.gov](http://www.dca.ga.gov)

**Revised January 1, 2022**

## GEORGIA STATE MINIMUM STANDARD ENERGY CODE

### (INTERNATIONAL ENERGY CONSERVATION CODE WITH GEORGIA STATE SUPPLEMENTS AND AMENDMENTS)

The INTERNATIONAL ENERGY CONSERVATION CODE, 2015 Edition, published by the International Code Council, when used in conjunction with these Georgia State Supplements, Amendments and any other Georgia State Amendments, shall constitute the official *Georgia State Minimum Standard Energy Code*.

#### GEORGIA STATE SUPPLEMENTS AND AMENDMENTS SCOPE:

Each chapter of these Georgia State Supplements and Amendments corresponds with a chapter of the *International Energy Conservation Code (IECC)*.

##### *Commercial Provisions*

- Chapter 1: Scope and Administration
- Chapter 2: Definitions
- Chapter 3: General Requirements
- Chapter 4: Commercial Energy Efficiency
  - Compliance Pathways for Commercial and High-Rise Residential Construction:
    - Any of those delineated in this chapter; or
    - *COMcheck*<sup>1</sup>
- Chapter 5: Existing Buildings
- Chapter 6: Referenced Standards

##### *Residential Provisions*

- Chapter 1: Scope and Administration
- Chapter 2: Definitions
- Chapter 3: General Requirements
- Chapter 4: Residential Energy Efficiency
  - Compliance Pathways for Low-Rise Residential Construction:
    - Any of those delineated in this chapter; or
    - *REScheck*<sup>1</sup>
- Chapter 5: Existing Buildings
- Chapter 6: Referenced Standards
- Appendices RA, RB, RC and RD
  - Throughout the appendices, there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *IECC* for clarification.

1. *REScheck* and *COMcheck* are computer programs developed by Pacific Northwest National Laboratories for the U.S. Department of Energy (D.O.E.) to assist in demonstration of compliance with the *IECC*. They may be obtained free of charge from the D.O.E. online at [www.energycodes.gov](http://www.energycodes.gov). When following the *REScheck* compliance pathway, select the 2015 *IECC* as the code version. When following the *COMcheck* compliance pathway, select either *IECC* 2015 or *ASHRAE/IESNA Standard 90.1-2013*.

The 'Mandatory' requirements of the *IECC* apply to all compliance methods.

Where these Georgia State Supplements and Amendments conflict with either the *IECC* or *ANSI/ASHRAE/IES Standard 90.1*, these Georgia State Supplements and Amendments shall take precedence.

*Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.*

It is not the intention of this code to abridge safety or health. Where the *IECC* and these Georgia State Supplements and Amendments conflict with other mandatory *State Minimum Standard Codes*, the *IECC* and these Georgia State Supplements and Amendments shall be enforced as written, provided that safety, health or environmental requirements of other mandatory *State Minimum Standard Codes* are not abridged.

#### **APPENDICES:**

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

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## RESIDENTIAL PROVISIONS

### CHAPTER 4

#### [RE] RESIDENTIAL ENERGY EFFICIENCY

##### SECTION R402 BUILDING

###### THERMAL ENVELOPE

\*Add new Section R402.1.2.1 'Indirectly conditioned attics' to read as follows:

R402.1.2.1 (**N1102.1.2.1 Indirectly conditioned attics.** Where table N1102.1.2 (R402.1.2) requires R-38 or Table N1102.1.4 (R402.1.4) requires a U-factor of 0.030, an air impermeable insulation installed to the underside or directly above the roof deck with a U-factor of 0.05 or R-value of R-20 shall be deemed equivalent to the provisions in N1102.2.1 (R402.2.1), with the following requirements:

1. The house shall attain a blower door test result  $< 3$  ACH50.
2. The house shall require a whole house mechanical ventilation system that does not solely rely on a negative pressure strategy (must be positive, balanced or hybrid).
3. Where insulation is installed below the roof deck and the exposed portion of roof rafters are not already covered by the R-20 depth of the air-impermeable insulation, the exposed portion of the roof rafters shall be wrapped (covered) by minimum R-3 unless directly covered by drywall / finished ceiling. Roof rafters are not required to be covered by minimum R-3 if a continuous insulation is installed above the roof deck.
4. Indoor heating, cooling and ventilation equipment (including ductwork) shall be inside the building thermal envelope.

(Effective January 1, 2022)

\*Add new Section R402.2.9.1 'Rim joist insulation' to read as follows:

R402.2.9.1 **Rim joist insulation.** Insulation provided at the interior rim joist area shall be removable to allow access for pest control inspections.

(Effective January 1, 2022)

\*Add new Section R402.2.11.1 'Crawl space walls part 2' to read as follows:

R402.2.11.1 **Crawl space walls part 2.** Insulation provided at the interior rim joist area shall be removable to allow access for pest control inspections.

(Effective January 1, 2022)





# **Georgia State Supplements and Amendments to the International Energy Conservation Code (2015 Edition)**

Georgia Department of Community Affairs  
Community Development Division  
60 Executive Park South, N.E.  
Atlanta, Georgia 30329-2231 (404)  
679-3118 [www.dca.ga.gov](http://www.dca.ga.gov)

**Revised January 1, 2020**

## GEORGIA STATE MINIMUM STANDARD ENERGY CODE

### (INTERNATIONAL ENERGY CONSERVATION CODE WITH GEORGIA STATE SUPPLEMENTS AND AMENDMENTS)

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  - Compliance Pathways for Commercial and High-Rise Residential Construction:
    - Any of those delineated in this chapter; or
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- Chapter 5: Existing Buildings
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##### *Residential Provisions*

- Chapter 1: Scope and Administration
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- Chapter 4: Residential Energy Efficiency
  - Compliance Pathways for Low-Rise Residential Construction:
    - Any of those delineated in this chapter; or
    - *REScheck*<sup>1</sup>
- Chapter 5: Existing Buildings
- Chapter 6: Referenced Standards
- Appendices RA, RB, RC and RD
  - Throughout the appendices, there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *IECC* for clarification.

1. *REScheck* and *COMcheck* are computer programs developed by Pacific Northwest National Laboratories for the U.S. Department of Energy (D.O.E.) to assist in demonstration of compliance with the *IECC*. They may be obtained free of charge from the D.O.E. online at [www.energycodes.gov](http://www.energycodes.gov). When following the *REScheck* compliance pathway, select the 2015 *IECC* as the code version. When following the *COMcheck* compliance pathway, select either *IECC* 2015 or *ASHRAE/IESNA Standard 90.1-2013*.

The 'Mandatory' requirements of the *IECC* apply to all compliance methods.

Where these Georgia State Supplements and Amendments conflict with either the *IECC* or *ANSI/ASHRAE/IES Standard 90.1*, these Georgia State Supplements and Amendments shall take precedence.

*Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.*

It is not the intention of this code to abridge safety or health. Where the *IECC* and these Georgia State Supplements and Amendments conflict with other mandatory *State Minimum Standard Codes*, the *IECC* and these Georgia State Supplements and Amendments shall be enforced as written, provided that safety, health or environmental requirements of other mandatory *State Minimum Standard Codes* are not abridged.

#### **APPENDICES:**

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

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## **COMMERCIAL PROVISIONS**

### **CHAPTER 1 [CE]**

#### **SCOPE AND ADMINISTRATION**

##### **SECTION C101**

###### **SCOPE AND GENERAL REQUIREMENTS**

\*Delete Section C101.1 'Title' without substitution.

(Effective January 1, 2020)

\*Add new Section C101.6 'Requirements for high-efficiency cooling towers' to read as follows:

**C101.6 Requirements for high-efficiency cooling towers.** Cooling towers installed in new construction shall be in compliance with ANSI/ASHRAE/IES 90.1 Standard.

(Effective January 1, 2020)

##### **SECTION C104**

###### **INSPECTIONS**

\*Delete SECTION C104 'INSPECTIONS' without substitution.

(Effective January 1, 2020)

##### **SECTION C107**

###### **FEES**

\*Delete SECTION C107 'FEES' without substitution. (Effective January 1, 2020)

##### **SECTION C108**

###### **STOP WORK ORDER**

\*Delete SECTION C108 'STOP WORK ORDER' without substitution. (Effective January 1, 2020)

##### **SECTION C109**

###### **BOARD OF APPEALS**

\*Delete SECTION C109 'BOARD OF APPEALS' without substitution. (Effective January 1, 2020)

### **CHAPTER 2 [CE]**

#### **DEFINITIONS**

##### **SECTION C202**

###### **GENERAL DEFINITIONS**

\*Revise the definition for 'COEFFICIENT OF PERFORMANCE (COP) - COOLING', to read as follows:

**COEFFICIENT OF PERFORMANCE (COP) - COOLING.** The ratio of the rate of heat removal to the rate of energy input, in consistent units, for a complete refrigerating system or some specific portion of that system under designated operating conditions.

(Effective January 1, 2020)

\*Delete definition of 'CONDITIONED SPACE' and substitute the following:

**SPACE.** An enclosed space within a building. The classifications of spaces are as follows for the purpose of determining building envelope requirements:

(a) **Conditioned space:** a cooled space, heated space, or indirectly conditioned space is defined as follows:

(1) **Cooled space:** an enclosed space within a building that is cooled by a cooling system whose sensible output capacity exceeds 5 Btu/h·ft<sup>2</sup> of floor area.

(2) **Heated space:** an enclosed space within a building that is heated by a heating system whose output capacity relative to the floor area is greater than or equal to 5 Btu/h·ft<sup>2</sup>.

(3) **Indirectly conditioned space:** an enclosed space within a building that is not a heated space or a cooled space, containing un-insulated ducts, or containing the heating equipment or which is heated or cooled indirectly by being connected to adjacent space(s), provided that air from heated or cooled spaces is transferred (naturally or mechanically) into the space. Unvented Attic Assemblies meeting the requirements of the IRC are an approved indirectly conditioned space.

(b) **Semi-heated space:** an enclosed space within a building that is heated by a heating system whose output capacity is greater than or equal to 3.4 Btu/h·ft<sup>2</sup> of floor area but is not a conditioned space.

(c) **Unconditioned space:** an enclosed space within a building that is not a conditioned space or a semi-heated space. Crawl spaces, attics, and parking garages with natural or mechanical ventilation are not considered enclosed spaces.

(Effective January 1, 2020)

\*Add definition of 'COOLING TOWER' to read as follows:

**COOLING TOWER.** A building heat removal device used to transfer process waste heat to the atmosphere.

(Effective January 1, 2020)

\* Delete definition of 'ON-SITE RENEWABLE ENERGY', and substitute the following:

**ON-SITE RENEWABLE ENERGY.** Energy systems that are located on the building site, are installed on the building's side of the utility service provider's meter, produce energy primarily intended for use in the building and not solely for export to utilities, and produce energy derived from any of the following sources: solar radiation, wind, waves, tides, biogas, biomass or the internal heat of the earth. Energy systems that derive energy from solar radiation shall be modeled in the orientation of the energy system.

The following description only pertains to energy systems that derive energy from solar radiation and are owned by a third-party. The Georgia Solar Power Free-Market Financing Act of 2015 (commonly referred to as "HB 57") allows a customer to purchase solar electricity generated by a solar system owned by a third-party so long as certain criteria are met. Two key criteria are that the law only authorizes solar systems that generate electricity fueled by sunlight and that the solar system must be installed on property owned or occupied by the entity purchasing the system's electricity. The definition of "property" extends to all adjacent contiguous tracts of land utilized by the entity purchasing the solar system's electricity. "Building Site" in C202 is defined as a contiguous area of land that is

under the ownership or control of one entity. While this definition of "building site" is similar to HB 57's definition of "property," the key difference is that HB 57 focuses on the entity purchasing the solar system's electricity. When modeling a solar system that is owned by a third-party, it is best to refer to HB 57 to determine whether all criteria have been met.

(Effective January 1, 2020)

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## CHAPTER 4 [CE]

### COMMERCIAL ENERGY EFFICIENCY

#### SECTION C402

##### BUILDING ENVELOPE REQUIREMENTS

\*Revise Table C402.1.3 'Opaque Thermal Envelope Insulation Component Minimum Requirements, R-Value Methoda' *Climate Zone* 4 except Marine, for unheated slabs to read as follows:

<b>TABLE C402.1.3 OPAQUE THERMAL ENVELOPE INSULATION COMPONENT MINIMUM REQUIREMENTS, R-VALUE METHODa</b>		
<b>Climate Zone</b>	<b>4 EXCEPT MARINE</b>	(remainder of table left unchanged)
	<b>All other</b>	
	<b>Slab-on-grade floors</b>	
Unheated slabs	NR	NR

(Effective January 1, 2020)

#### SECTION C403

##### BUILDING MECHANICAL SYSTEMS

\*Delete Section C403.2.3 'HVAC equipment performance requirements' and substitute to read as follows:

**C403.2.3 HVAC equipment performance requirements.** Equipment shall meet the minimum efficiency requirements of Tables 6.8.1-1, 6.8.1-2, 6.8.1-3, 6.8.1-4, 6.8.1-5, 6.8.1-6, 6.8.1-7, 6.8. 1-9, 6.8.1-10, 6.8.1-11, 6.8.1-12, and 6.8.1-13 of ASHRAE Standard 90.1 when tested and rated in accordance with the applicable test procedure. Plate-type liquid-to-liquid heat exchangers shall meet the minimum requirements of Table 6.8.1-8 of ASHRAE Standard 90.1.

The efficiency shall be verified through certification under an *approved* certification program or, where a certification program does not exist, the equipment efficiency ratings shall be supported by data furnished by the manufacturer. Where multiple rating conditions or performance requirements are provided, the equipment shall satisfy all stated requirements. Where components, such as indoor or outdoor coils, from different manufacturers are used, calculations and supporting data shall be furnished by the designer that demonstrates that the combined efficiency of the specified components meets the requirements herein.

The above referenced tables of ASHRAE 90.1, HVAC equipment performance tables are available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2085>

(Effective January 1, 2020)

\*Delete Section C403.2.8 'Kitchen Exhaust Systems' without substitution. (Effective January 1, 2020)

\*Delete Table C403.2.8 'MAXIMUM NET EXHAUST FLOW RATE, CFM PER LINEAR FOOT OF HOOD LENGTH' without substitution.

(Effective January 1, 2020)

\*Delete Section C403.2.9 'Duct and plenum insulation and sealing' and substitute to read as follows:

**C403.2.9 Duct and plenum insulation and sealing.** Supply and return air ducts and plenums shall be insulated with a minimum of R-6 insulation where located in unconditioned spaces and where located outside the building with a minimum of R-8 insulation in *Climate Zones* 2 through 4. Where located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned or exempt spaces by a minimum of R-8 insulation in *Climate Zones* 2 through 4.

**Exceptions:**

1. Where located within equipment.
2. Where the design temperature difference between the interior and exterior of the duct or plenum is not greater than 15°F (8°C).

Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with section C403.2.9.2 of these Georgia State Supplements and Amendments.

**Exceptions:**

1. Air-impermeable spray foam product shall be permitted to be applied without additional joint seals.
2. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams, and locking-type joints and seams of other than the snap-lock and button-lock types.
3. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
4. Sealing that would void product listings is not required. (Effective January 1, 2020)

\*Add new Section C403.2.9.2 'Joints, Seams and Connections' to read as follows:

**C403.2.9.2 Joints, Seams and Connections.** All longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in *SMACNA HVAC Duct Construction Standards-Metal and Flexible* and *NAIMA Fibrous Glass Duct Construction Standards*. All joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), mastic-plus-embedded-fabric systems or tapes. Without exception all closure systems shall have mastic applied that is at least 0.08 inches (2 mm) thick. Closure systems used to seal flexible air ducts and flexible air connections shall comply with UL 181B and shall be marked "181B-FX" for pressure-sensitive tape or "181B-M" for mastic. Duct connections to flanges of air distribution systems equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25.4 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint. Closure systems used to seal metal ductwork shall be installed in accordance with manufacturer's instructions. Round metallic ducts shall be mechanically fastened by means of at least three sheet metal screws or rivets spaced equally around the joint. Unlisted duct tape shall not be permitted as a sealant on any duct.

**Exceptions:**

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressure less than 2 inches (51 mm) of water column (500 Pa) pressure classification shall not require additional closure systems.



(Effective January 1, 2020)

\*Revise Section C403.3 'Economizers (Prescriptive)' to read as follows:

#### **C403.3 Economizers (Prescriptive).**

Revise Section C403.3, Economizers (Prescriptive), to delete the last sentence of exception 2 and add exception number 10, Computer Room Applications, at the end.

10. Computer Room Applications.

(Effective January 1, 2020)

\*Delete Section C403.4.2.6 'Pump isolation' to add a new sentence at the end to read as follows:

**C403.4.2.6 Pump isolation.** Chilled water plants including more than one chiller shall have the capability to reduce flow automatically through the chiller plant when a chiller is shut down. Chillers piped in series for the purpose of increased temperature differential shall be considered as one chiller.

Boiler plants including more than one boiler shall have the capability to reduce flow automatically through the boiler plant when a boiler is shut down. Flow isolation shall allow time for adequate thermal dissipation of residual heat to prevent relief before isolating boiler(s).

(Effective January 1, 2020)

### **SECTION C407**

#### **TOTAL BUILDING PERFORMANCE**

\*Delete Section C407.3 'Performance-based compliance' and substitute to read as follows:

**C407.3 Performance-based compliance.** Compliance based on total building performance requires that a proposed building (*proposed design*) be shown to have an annual energy cost that is less than or equal to the annual energy cost of the *standard reference design*. Energy prices shall be taken from a source *approved* by the *code official*, such as the Department of Energy, Energy Information Administration's *State Energy Price and Expenditure Report*. *Code officials* shall be permitted to require time-of-use pricing in energy cost calculations.

The reduction in annual energy cost of the *proposed design* associated with *on-site renewable energy* shall be not more than 5% of the total annual energy cost. The amount of renewable energy purchased from off-site sources shall be the same in the *standard reference design* and the *proposed design*.

**Exception:** Jurisdictions that require site energy (1 kWh = 3413 Btu) rather than energy cost as the metric of comparison.

(Effective January 1, 2020)

\*Revise Section C407.4.2 'Additional documentation' to add a new item 6 to read as follows:

#### **C407.4.2 Additional documentation.**

6. Documentation of the reduction in annual energy use associated with on-site renewable energy.

(Effective January 1, 2020)

### **SECTION C408**

## SYSTEM COMMISSIONING

\*Revise Section C408 'System Commissioning' to read as follows:

Strike the words "commission" and "commissioning" wherever they appear and replace with "functional performance testing" throughout the entire Section C408 SYSTEM COMMISSIONING as required.

(Effective January 1, 2020)

\*Delete Section C408.2.4.1 'Acceptance of report' without substitution. (Effective January 1, 2020)

## CHAPTER 6 [CE]

### REFERENCED STANDARDS

\*Revise Chapter 6 'Referenced Standards' to add the following new Standards to read as follows:

<b>UL</b>		UL LLC 333 Pfingsten Road Northbrook, IL 60062-2096
Standard reference number	Title	Referenced in code section number
181 - 2013	Factory-made Air Ducts and Air Connectors-with Revisions through May 2003.....	C403.2.9.2
181A - 2013	Closure Systems for Use with Rigid Air Ducts and Air Connectors-with Revisions through December 1998 .....	C403.2.9.2
181B - 2013	Closure Systems for Use with Flexible Air Ducts and Air Connectors-with Revisions through August 2003 .....	C403.2.9.2

(Standards not listed to remain unchanged)

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## **RESIDENTIAL PROVISIONS**

### **CHAPTER 1 [RE]**

#### **SCOPE AND ADMINISTRATION**

##### **SECTION R101**

##### **SCOPE AND GENERAL REQUIREMENTS**

\*Delete Section R101.1 'Title' without substitution. (Effective January 1, 2020)

##### **SECTION R103**

##### **CONSTRUCTION DOCUMENTS**

\*Delete SECTION R103 'CONSTRUCTION DOCUMENTS' without substitution.

(Effective January 1, 2020)

##### **SECTION R104**

##### **INSPECTIONS**

\*Delete SECTION R104 'INSPECTIONS' without substitution. (Effective January 1, 2020)

##### **SECTION R107**

##### **FEEES**

\*Delete SECTION R107 'FEEES' without substitution. (Effective January 1, 2020)

##### **SECTION R108**

##### **STOP WORK ORDER**

\*Delete SECTION R108 'STOP WORK ORDER' without substitution. (Effective January 1, 2020)

##### **SECTION R109**

##### **BOARD OF APPEALS**

\*Delete SECTION R109 'BOARD OF APPEALS' without substitution. (Effective January 1, 2020)

### **CHAPTER 2**

#### **[RE] DEFINITIONS**

\*Add definition of 'ATTIC KNEEWALL' to read as follows:

**ATTIC KNEEWALL.** Any vertical or near-vertical wall in the building envelope that has conditioned space on one side and unconditioned attic space on the other side. If the envelope features the insulation installed along the sloped ceiling, the vertical wall is considered an interior wall and thus does not require insulation.

(Effective January 1, 2020)

\*Add new definition of 'CERTIFIED DUCT AND ENVELOPE TIGHTNESS (DET) VERIFIER' to read as follows:

**CERTIFIED DUCT AND ENVELOPE TIGHTNESS (DET) VERIFIER.** A certified DET verifier shall be a certified Home Energy Rating Systems (HERS) rater, or be a Building Performance Institute (BPI) Analyst, or be an Infiltration Duct Leakage (IDL) Certified, or successfully complete a certified DET verifier course that is approved by the Georgia Department of Community Affairs.

(Effective January 1, 2020)

\*Delete definition of 'CONDITIONED SPACE' and substitute to read as follows:

**SPACE.** An enclosed space within a building. The classifications of spaces are as follows for the purpose of determining building envelope requirements:

(a) **Conditioned space:** a cooled space, heated space, or indirectly conditioned space is defined as follows:

(1) **Cooled space:** an enclosed space within a building that is cooled by a cooling system whose sensible output capacity exceeds 5 Btu/h·ft<sup>2</sup> of floor area.

(2) **Heated space:** an enclosed space within a building that is heated by a heating system whose output capacity relative to the floor area is greater than or equal to 5 Btu/h·ft<sup>2</sup>.

(3) **Indirectly conditioned space:** an enclosed space within a building that is not a heated space or a cooled space, containing un-insulated ducts, or containing the heating equipment or which is heated or cooled indirectly by being connected to adjacent space(s), provided that air from heated or cooled spaces is transferred (naturally or mechanically) into the space. Unvented Attic Assemblies meeting the requirements of the IRC are an approved indirectly conditioned space.

(b) **Semi-heated space:** an enclosed space within a building that is heated by a heating system whose output capacity is greater than or equal to 3.4 Btu/h·ft<sup>2</sup> of floor area but is not a conditioned space.

(c) **Unconditioned space:** an enclosed space within a building that is not a conditioned space or a semi-heated space. Crawl spaces, attics, and parking garages with natural or mechanical ventilation are not considered enclosed spaces.

(Effective January 1, 2020)

\*Add definition of 'ON-SITE RENEWABLE ENERGY' to read as follows:

**ON-SITE RENEWABLE ENERGY.** Energy systems that are located on the building site, are installed on the building's side of the utility service provider's meter, produce energy primarily intended for use in the building and not solely for export to utilities, and produce energy derived from any of the following sources: solar radiation, wind, waves, tides, biogas, biomass or the internal heat of the earth. Energy systems that derive energy from solar radiation shall be modeled in the orientation of the energy system.

The following description only pertains to energy systems that derive energy from solar radiation and are owned by a third-party. The Georgia Solar Power Free-Market Financing Act of 2015 (commonly referred to as "HB 57") allows a customer to purchase solar electricity generated by a solar system owned by a third-party so long as certain criteria are met. Two key criteria are that the law only authorizes solar systems that generate electricity fueled by sunlight and that the solar system must be installed on property owned or occupied by the entity purchasing the system's electricity. The definition of "property" extends to all adjacent contiguous tracts of land utilized by the entity purchasing the solar system's electricity. "Building Site" in R202 is defined as a contiguous area of land that is under the ownership or control of one entity. While this definition of "building site" is similar to HB 57's definition of "property," the key difference is that HB 57 focuses on the entity purchasing the solar system's electricity. When modeling a solar system that is owned by a third-party, it is best to refer to HB 57 to determine whether all criteria have been met.

(Effective January 1, 2020)

## CHAPTER 4

### [RE] RESIDENTIAL ENERGY EFFICIENCY

#### SECTION R401

##### GENERAL

\*Revise Section R401.2 'Compliance' to read as follows:

**R401.2 Compliance.** Projects shall comply with all provisions of Chapter 4 labeled "Mandatory" and one of the following:

1. Sections R401 through R404.
2. Section R405.
3. Section R406.
4. The most recent version of REScheck, keyed to the 2015 IECC.

\*Revise Section R401.3 'Certificate (Mandatory)' by revising first sentence and adding at end as follows:

**R401.3 Certificate (Mandatory).** A permanent certificate shall be completed by the builder or registered design professional and posted on or near the electrical distribution panel or air handler. Where located on ...

(Middle of section left unchanged) ...water heating equipment. Refer to Appendix RD for the Mandatory Compliance Certificate that shall be used. (Remainder of section left unchanged) (Effective January 1, 2020)

The above referenced form, Mandatory Compliance Certificate is available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2090>

#### SECTION R402

##### BUILDING THERMAL ENVELOPE

\*Revise Table R402.1.2 'Insulation and Fenestration Requirements by Component<sup>a</sup>' as follows:

<b>TABLE R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT<sup>a</sup></b>											
Climate Zone	Fenestration U-Factor <sup>b</sup>	Skylight <sup>b</sup> U-Factor	Glazed Fenestration SHGC <sup>b,e</sup>	Ceiling R-Value	Wood Frame Wall R-Value	Attic Kneewall R-Value <sup>i</sup>	Mass Wall R-Value	Floor R-Value	Basement <sup>c</sup> Wall R-Value	Slab <sup>d</sup> R-Value & Depth	Crawl Space <sup>c</sup> Wall R-Value
2	0.35	0.65	0.27	38	13	18	4/6	13	0	0	0
3	0.35	0.55	0.27	38	13	18	8/13	19	5/13 <sup>f</sup>	0	5/13
4 except marine	0.35	0.55	0.27	38	13	18	8/13	19	10/13	0	10/13

(Remainder of footnotes left unchanged) (Effective January 1, 2020)

\*Revise Table R402.1.4 'Equivalent *U*-Factors<sup>a</sup>' as follows:

<b>TABLE R402.1.4</b> <b>EQUIVALENT <i>U</i>-FACTORS<sup>a</sup></b>								
Climate Zone	Fenestration <i>U</i> -Factor	Skylight <i>U</i> -Factor	Ceiling <i>U</i> -Factor	Frame Wall <i>U</i> -Factor	Mass Wall <i>U</i> -Factor <sup>b</sup>	Floor <i>U</i> -Factor	Basement Wall <i>U</i> -Factor	Crawl Space Wall <i>U</i> -Factor
2	0.35	0.65	0.030	0.084	0.165	0.064	0.360	0.477
3	0.35	0.55	0.030	0.084	0.098	0.047	0.091 <sup>c</sup>	0.136
4 except marine	0.35	0.55	0.030	0.084	0.098	0.047	0.059	0.065

Table footnote left unchanged

(Effective January 1, 2020)

\*Add a new Section R402.1.6 'Compliance Alternative Constraints (Mandatory)' to read as follows:

**R402.1.6 Compliance Alternative Constraints (Mandatory).** Where Compliance Alternative Pathways are used, the minimum R-values, maximum U-factors, and maximum SHGCs for thermal envelope components in projects complying under this code (including the use of REScheck) shall be according to Table 402.1.6. Compliance Alternative Pathways include Total UA Alternative, Simulated Performance Alternative, and Energy Rating Index Alternative.

\*Add a new Table R402.1.6, 'Minimum Insulation *R*-Values for Envelope Components When Trade-offs Are Used' to read as follows:

Table R402.1.6 MINIMUM INSULATION <i>R</i> -VALUES FOR ENVELOPE COMPONENTS WHEN TRADE-OFFS ARE USED										
Climate Zone	Wood <sup>a</sup> Framed Walls	Mass <sup>a, b</sup> Wall	Attic <sup>a, c</sup> Kneewall	Basement <sup>a</sup> Wall	Crawl <sup>a</sup> Wall	Floor Over Unheated Spaces	Ceilings with Attic Space	Vaulted <sup>c, d</sup> Unvented Attic Roofline Air-impermeable	Vaulted <sup>c, d</sup> Unvented Attic Roofline Air-permeable	Cathedralized <sup>c, d</sup> Vented Ceiling Roofline Air-permeable
2	13	4	18	0	0	13	30	20	20+5*	20
3	13	5	18	5	5	13	30	20	20+5*	20
4	13	5	18	5	5	13	30	20	20+15*	20
Window <i>U</i> -Factor 0.5 max with SHGC 0.30 max								* Air-impermeable as per IRC 806.5		
a: Weather-stripped hinged vertical doors (minimum R-5 insulation or maximum U-0.20), weather-stripped hatches/scuttle hole covers (minimum R-19 insulation or maximum U-0.05), or weather-stripped and disappearing/pull-down stairs (minimum R-5 insulation or maximum U-0.20) shall be deemed to meet the minimum insulation <i>R</i> -values of the corresponding envelope element. b: Any mass wall (masonry, CMU, etc.) c: Attic kneewall for the purpose of this code is defined as any vertical or near vertical wall in the building envelope that has conditioned space on one side and attic space on the other side. Exception: When the building roofline is insulated, the former kneewall is classified as an interior wall. d: Examples of air-impermeable insulation include spray foam and rigid foam board. Examples of air-permeable insulation include fiberglass batts and cellulose. See 'Roofline Installed Insulation Options' in Appendix RA, of these Georgia State Supplements and Amendments for details.										

(Effective January 1, 2020)

\*Revise Section R402.2.1 'Ceilings with attic spaces' to read as follows:

**R402.2.1 Ceilings with attic spaces.** Where Section R402.1.2 would require R-38 insulation in the ceiling, installing R-30 over 100 percent of the ceiling area requiring insulation shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends completely over the wall top plate at the eaves. This reduction shall not apply to the U-factor alternative approach in Section R402.1.4 and the total UA alternative in Section R402.1.5.

For HVAC attic platforms used for locating and servicing equipment, R-19 (maximum *U*-Factor 0.047) shall be deemed to meet the requirements of R-38 (maximum *U*-Factor 0.027) in the ceiling. R-19 is deemed acceptable for up to 32 square feet of attic decking per HVAC system. R-19 shall be deemed acceptable for a maximum 32 inch wide passage to the HVAC system as referenced under M1305.1.2 of the International Residential Code.

(Effective January 1, 2020)

\*Delete Section R402.2.3 'Eave baffle' and substitute to read as follows:

**R402.2.3 Eave baffle.** For air permeable insulation in vented attics, baffles shall be installed adjacent to soffit and eave vents. A minimum of a 1-inch of space shall be provided between the insulation and the roof sheathing and at the location of the vent. The baffle shall extend over the top of the insulation inward until it is at least 4 inches vertically above the top of the insulation. Any solid material such as cardboard or thin insulating sheathing shall be permissible as the baffle. (See Appendix RA for further clarification.)

(Effective January 1, 2020)

\*Delete Section R402.2.4 'Access hatches and doors' and substitute to read as follows:

**R402.2.4 Access hatches and doors.** Access doors from conditioned spaces to unconditioned spaces (e.g. attics, unconditioned basements and crawl spaces) shall be weather-stripped and insulated in accordance with the following insulation values:

1. Hinged vertical doors shall have a maximum *U*-Factor of U-0.20 (R-5 minimum);
2. Hatches/scuttle hole covers shall have a maximum *U*-Factor of U-0.05 (R-19 minimum); and
3. Pull down stairs shall have a maximum *U*-Factor of U-0.20 with a minimum of 75 percent of the panel area having (R-5 minimum) insulation.

Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed *R*-value of the loose fill insulation.

(Effective January 1, 2020)

\*Delete Section R402.2.11 'Crawl space walls' and substitute to read as follows:

**R402.2.11 Crawl space walls.** As an alternative to insulating floors over crawl spaces, crawl space walls shall be permitted to be insulated when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to within 9 inches (229 mm) of the finished interior grade adjacent to the foundation wall. A 3-inch (76 mm) inspection/view strip immediately below the floor joists shall be provided to permit inspections for termites. Exposed earth in unvented crawl space foundations shall be covered with a continuous Class 1 vapor retarder in accordance with the *International Building Code*. All joints of the vapor retarder shall overlap by 6 inches (152 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152 mm) up the stem wall and shall be attached and sealed to the stem wall.

(Effective January 1, 2020)

\*Revise Section R402.3.4 'Opaque door exemption' to read as follows:

**R402.3.4 Opaque door exemption.** One side-hinged opaque door assembly up to 24 square feet (2.22 m<sup>2</sup>) in area is exempted from the *U*-factor requirement in Section R402.1.4. This exemption shall not apply to Attic Access Doors or the *U*-factor alternative approach in Section R402.1.4 and the total UA alternative in Section R402.1.5.

(Effective January 1, 2020)

\*Revise R402.4.1.1 'Installation' to read as follows:

**R402.4.1.1 Installation.** The components of the building thermal envelope shall be installed in accordance with the manufacturer's instructions and the criteria listed on page 1 of Appendix RA of the 2020 Georgia State Supplements and Amendments, as applicable to the method of construction. Where required by the *code official*, an *approved* third party shall inspect all components and verify compliance. See Appendix RA 'AIR BARRIER AND INSULATION INSTALLATION COMPONENT GUIDE' of these Georgia State Supplements and Amendments for a graphical representation of the items listed above.

(Effective January 1, 2020)

\*Revise Section R402.4.1.2 'Testing' to read as follows:

**R402.4.1.2 Testing.** All one and two-family dwelling units shall be tested and verified to less than five air changes per hour at 50 Pascals (ACH50) for Climate Zones 2, 3, and 4. Testing shall be conducted in accordance with ASTM E 779 or ASTM E 1827 or ANSI/RESNET/ICC 380 and reported at a pressure of 0.2 inch w.g. (50 Pascals). A written report of the results of the test shall be signed by the party conducting the test and provided to the *code official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*. Testing shall be conducted by a *certified duct and envelope tightness (DET) verifier*.

(Remainder of section left unchanged) (Effective January 1, 2020)

\*Add a new Section R402.4.1.3 'Low-rise R-2 multifamily testing' to read as follows:

**R402.4.1.3 Low-rise R-2 multifamily testing.** Low-rise R-2 multifamily dwellings shall be tested to less than 7 air changes per hour at 50 Pascals (ACH50).

As an alternative to ACH50, compliance for Low-rise R-2 dwellings may be attained by achieving an Envelope Leakage Ratio at 50 Pascals (ELR50) of less than 0.35 (ELR50 0.35, where ELR50 = CFM50 / Envelope Shell Area, in square feet). (Effective January 1, 2020)

\*Add a new Section R402.4.1.3.1 'Low-rise multifamily testing protocol (Optional)' to read as follows:

**R402.4.1.3.1 Low-rise multifamily testing protocol (Optional).** Where a residential building is classified as R-2, envelope testing may (optionally) employ either one or both of the following testing protocols:

1. Utilize multiple fans in adjacent units (commonly referred to as Guarded Blower Door testing) to minimize effect of leakage to adjacent units (not required).
2. Envelope testing of less than 100 percent shall be acceptable assuming a maximum sampling protocol of 1 in 4 units per floor (if sampled unit passes, the remaining up to three units are deemed to comply; if sampled unit fails, it must be sealed and retested and the remaining up to three units shall also be tested).

(Effective January 1, 2020)

## SECTION R403

### SYSTEMS



\*Revise Section R403.1.2 'Heat pump supplementary heat (Mandatory)' to add a new sentence at the end to read as follows:

**R403.1.2 Heat pump supplementary heat (Mandatory).** Heat pumps having supplementary electric-resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load. Except in emergency heating mode, the supplementary electric-resistance heat in heat pump systems installed in new construction may not energize unless the outdoor temperature is below 40° F (4° C).

(Effective January 1, 2020)

\*Add new Section R403.1.2.3 'Primary heat source' to read as follows:

**R403.1.2.3 Primary heat source.** For new dwelling unit central HVAC systems, or replacement HVAC systems installed in dwelling units that were originally permitted after January 1, 1996, electric-resistance heat shall not be used as the primary heat source. Primary heat source is defined as the heat source for the original dwelling unit system.

(Effective January 1, 2020)

\*Revise Section R403.3.2 'Sealing (Mandatory)' to read as follows:

**R403.3.2 Sealing (Mandatory).** Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with Section R403.3.6 of these Georgia State Supplements and Amendments.

**Exceptions:**

1. Air-impermeable spray foam product shall be permitted to be applied without additional joint seals.
2. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams, and locking-type joints and seams of other than the snap-lock and button-lock types.
3. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
4. Sealing that would void product listings is not required.

\*Revise Section R403.3.3 'Duct testing (Mandatory)' to read as follows:

**R403.3.3 Duct testing (Mandatory).** Ducts shall be pressure tested to determine air leakage by one of the following methods:

1. Rough-in test: Total leakage shall be measured with a pressure differential of 0.1 inch w. g. (25 Pa) across the system, including the manufacturer's air handler enclosure.

All registers shall be taped or otherwise sealed during the test.

2. Post-construction test: Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. Registers shall be taped or otherwise sealed during the test.

**Exceptions:**

1. A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.
2. Duct tightness testing is not required for existing duct systems unless more than 50% of the duct system is modified.
3. If the air handler, furnace or evaporator coil is replaced on an existing system, all joints, seams and connections from equipment to duct system and duct system connections to plenums within 5 feet from the new work shall meet the sealing requirements of this code and be verified by a visual inspection by the state licensed conditioned air contractor or by a DET Verifier.

A report of the results of the test shall be signed by the party conducting the test and provided to the owner or the owner's agent and, if requested, to the *code official*.

(Effective January 1, 2020)

\*Revise Section R403.3.4 'Duct leakage (Prescriptive)' to read as follows:

**R403.3.4 Duct leakage (Mandatory).** The total leakage of the ducts, where measured by one of the following methods in accordance with Section R403.3.3 shall be as follows:

1. Rough-in test: The total leakage shall be less than or equal to 6 cubic feet per minute (113.3 L/min) per 100 square feet (9.29 m<sup>2</sup>) of conditioned floor area where the air handler is installed at the time of the test.
2. Post-construction test: Total leakage shall be less than or equal to 6 cubic feet per minute 113.3 L/min) per 100 sq. feet (9.29 m<sup>2</sup>) of conditioned floor area.

**Exceptions:**

1. A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.
2. Duct tightness testing is not required for existing duct systems unless more than 50% of the duct system is modified.
3. If the air handler, furnace or evaporator coil is replaced on an existing system, all joints, seams and connections from equipment to duct system and duct system connections to plenums within 5 feet from the new work shall meet the sealing requirements of this code and be verified by a visual inspection by the state licensed conditioned air contractor or by a DET Verifier.

(Effective January 1, 2020)

\*Add a new Section R403.3.6 'Joints, seams and connections' to read as follows:

**R403.3.6 Joints, seams and connections.** All longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in *SMACNA HVAC Duct Construction Standards- Metal and Flexible* and *NAIMA Fibrous Glass Duct Construction Standards*. All joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), mastic-plus-embedded-fabric systems or tapes. Without exception all closure systems shall have mastic applied that is at least 0.08 inches (2 mm) thick.

Closure systems used to seal flexible air ducts and flexible air connections shall comply with UL 181B and shall be marked "181B-FX" for pressure-sensitive tape or "181B-M" for mastic. Duct connections to flanges of air distribution systems equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic

ducts shall have a contact lap of not less than 1 inch (25.4 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint.

Closure systems used to seal metal ductwork shall be installed in accordance with manufacturer's instructions. Round metallic ducts shall be mechanically fastened by means of at least three sheet metal screws or rivets spaced equally around the joint. Unlisted duct tape shall not be permitted as a sealant on any duct.

**Exceptions:**

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressure less than 2 inches (51 mm) of water column (500 Pa) pressure classification shall not require additional closure systems.

(Effective January 1, 2020)

\*Revise Section R403.5.4 'Drain water heat recovery units' to read as follows:

**R403.5.4 Drain water heat recovery units.** Drain water heat recovery units shall comply with CSA B55.2 or IAPMO PS 92. Vertical drain water heat recovery units shall be tested in accordance with CSA B55.1 and have a minimum effectiveness of 42 percent when tested in accordance with CSA B55.1. Sloped drain water heat recovery units shall be tested in accordance with IAPMO IGC 346 and have a minimum rated effectiveness of 42 percent when tested in accordance with IAPMO IGC 346 at the minimum slope specified in the Georgia plumbing code. Potable water-side pressure loss of vertical drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of vertical drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers. Potable water-side pressure loss of sloped drain water heat recovery units shall be less than 4 psi (20.7 kPa).

(Effective January 1, 2020)

\*Revise Section R403.6 'Mechanical Ventilation' to read as follows:

**R403.6 Mechanical ventilation (Mandatory).** Where required, the building shall be provided with ventilation that meets the requirements of the *International Residential Code* or *International Mechanical Code*, as applicable, or with ASHRAE 62.2-2016, *Ventilation* and Acceptable Indoor Air Quality in Low-Rise Residential Buildings (in entirety) or with other approved means of ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

(Remainder of section left unchanged) (Effective January 1, 2020)

\*Revise Section R403.7 'Equipment sizing and efficiency rating (Mandatory)' by adding the following sentence at the end:

**R403.7 Equipment sizing and efficiency rating (Mandatory).** (The beginning of the section left unchanged) For automatically modulating capacity heating and cooling equipment, the system shall be deemed to comply with appropriate portions of Manual S provided the lowest output capacity of the equipment is less than the peak design load as determined by Manual J. (Effective January 1, 2020)

\*Add new Section R403.13 'Electric power attic ventilators' to read as follows:

**R403.13 Electric powered attic ventilators.** In new construction, electric powered attic ventilators shall not be connected to the Service supply premise wiring system. Solar photovoltaic (PV) powered attic ventilators shall be permitted.

(Effective January 1, 2020)

## SECTION R406

### ENERGY RATING INDEX

#### COMPLIANCE ALTERNATIVE

\*Revise Section R406.3 'Energy Rating Index' to read as follows:

**R406.3 Energy Rating Index.** The Energy Rating Index (ERI) shall be determined in accordance with ANSI/RESNET/ICC 301 except for buildings constructed in accordance with the International Residential Code, where the ERI reference design ventilation rate shall be in accordance with the following:

$$\text{Ventilation rate} = (0.01 \times \text{total square foot area of house}) + (7.5 (N_{br} + 1))$$

Equation 4-1 where,

Ventilation rate is defined in units of cubic feet per minute  $N_{br}$  = Number of bedrooms

The ERI shall consider all energy used in the *residential building* including *on-site renewable energy*. Energy used to recharge or refuel a vehicle for on-road (and off-site) transportation purposes shall not be included in the ERI *reference design* or the *rated design*.

(Effective January 1, 2020)

\*Delete Section R406.3.1 'ERI reference design' without substitution. (Effective January 1, 2020)

\*Revise Table R406.4 'MAXIMUM ENERGY RATING INDEX' to read as follows:

**TABLE R406.4**

#### MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	57
3	57
4	62

(Effective January 1, 2020)

\*Revise Section R406.6.1 'Compliance software tools' to read as follows:

**R406.6.1 Compliance software tools.** The ERI shall be determined using Approved Software

Rating Tools in accordance with ANSI/RESNET/ICC 301.

(Effective January 1, 2020)

\*Delete Section R406.7 'Calculation software tools' without substitution.

(Effective January 1, 2020)

\*Delete Section R406.7.1 'Minimum capabilities' without substitution.

(Effective January 1, 2020)

\*Revise and rename Section R406.7.2 'Specific approval' to read as follows:

R406.6.4 **Specific approval.** Performance analysis tools meeting the applicable sections of Section R406 shall be *approved*. Documentation demonstrating the approval of performance analysis tools in accordance with Section R406.6.1 shall be provided to the *code official*. The *code official* shall approve tools for a specified application or limited scope.

(Effective January 1, 2020)

\*Revise and rename Section R406.7.3 'Input values' to read as follows:

R406.6.5 **Input values.** Where calculations require input values not specified by Sections R402, R403, R404 and R405, those input values shall be taken from ANSI/RESNET/ICC 301.

(Effective January 1, 2020)

## CHAPTER 5

### [RE] EXISTING BUILDINGS

#### SECTION R502

##### ADDITIONS

\*Revise Section R502.1.1.2 'Heating and cooling systems' to delete the exception and substitute to read as follows:

R502.1.1.2 **Heating and cooling systems.** New heating, cooling and duct systems that are part of the addition shall comply with Sections R403.1, R403.2, R403.3, R403.5 and R403.6.

**Exception:** Duct tightness testing is not required for existing duct systems unless more than 50% of the existing duct system is modified.

(Effective January 1, 2020)

#### SECTION R503

##### ALTERATIONS

\*Revise Section R503.1.2 'Heating and cooling systems' to read as follows:

R503.1.2 **Heating and cooling systems.** New heating, cooling and duct systems that are part of the alteration shall comply with Sections R403.1, R403.2, R403.3 and R403.6.

**Exception:** Duct tightness testing is not required for existing duct systems unless more than 50% of the existing duct system is modified.

(Effective January 1, 2020)

## CHAPTER 6 [RE]

### REFERENCED STANDARDS

\*Revise Chapter 6 'Referenced Standards' to add the following new Standards to read as follows:

## UL

UL LLC  
333 Pfingsten Road  
Northbrook, IL 60062-2096

Standard reference number	Title	Referenced in code section number
181 - 2013	Factory-made Air Ducts and Air Connectors-with Revisions through May 2003 .....	R403.3.6
181A - 2013	Closure Systems for Use with Rigid Air Ducts and Air Connectors-with Revisions through December 1998 .....	R403.3.6
181B - 2013	Closure Systems for Use with Flexible Air Ducts and Air Connectors-with Revisions through August 2003 .....	R403.3.6

## ASHRAE

American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.  
1791 Tullie Circle, NE  
Atlanta, GA 30329-2305

Standard reference number	Title	Referenced in code section number
ASHRAE 62.2 - 2016	Ventilation and Acceptable Indoor Air Quality in Low- Rise Residential Buildings .....	R403.6

## ANSI/RESNET/ ICC 301

Residential Energy Services Network, Inc.  
P.O. Box 4561.  
Oceanside, CA 92052-4561  
International Code Council, 500 New Jersey Avenue, NW, 6th Floor.  
Washington, D.C. 20001

Standard reference number	Title	Referenced in code section number
ANSI/RESNET/ICC 301-2014	Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index .....	R406

## IAPMO PS 92

IAPMO  
4755 E. Philadelphia St.  
Ontario, CA 91761 - USA

Standard reference number	Title	Referenced in code section number
IAPMO PS 92-2013	Heat Exchangers and Indirect Water Heaters .....	R403.5.4
IAPMO IGC 346	Test Method for Measuring the Performance of Drain Water Heat Recovery Units .....	R403.5.4

(Standards not listed to remain unchanged)

## APPENDICES

Throughout these appendices there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *2015 International Energy Conservation Code* for clarification.

## APPENDIX RA

\*Delete APPENDIX RA 'RECOMMENDED PROCEDURE FOR WORST-CASE TESTING OF ATMOSPHERIC VENTING SYSTEMS UNDER R402.4 OR R405 CONDITIONS,  $\leq 5$  A CH50', entirely and substitute with new APPENDIX RA 'AIR SEALING KEY POINTS'.

(Effective January 1, 2020)

## APPENDIX RC

\*Add new APPENDIX RC 'THIRD PARTY VERIFICATION'.

(Effective January 1, 2020)

## APPENDIX RD

\* Add new APPENDIX RD 'MANDATORY COMPLIANCE CERTIFICATE'.

(Effective January 1, 2020)

The above referenced form, Mandatory Compliance Certificate is available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2090>

## Appendix RA

### Air Sealing and Insulation Key Points

### Air Barrier and Insulation Installation Component Guide

	COMPONENT	AIR BARRIER CRITERIA	INSULATION INSTALLATION CRITERIA
1	General requirements	A continuous air barrier shall be installed in the building envelope. The exterior thermal envelope contains a continuous air barrier. Breaks or joints in the air barrier shall be sealed.	Air-permeable insulation shall not be used as a sealing material.
2	Ceiling/attic	The air barrier in any dropped ceiling/soffit shall be aligned with the insulation and any gaps in the air barrier shall be sealed. Access openings, drop down stairs or knee wall doors to unconditioned attic spaces shall be sealed.	The insulation in any dropped ceiling/soffit shall be aligned with the air barrier.
3	Walls	The junction of the foundation and sill plate shall be sealed. The junction of the top plate and the top of exterior walls shall be sealed. Knee walls shall be sealed.	Cavities within corners and headers of frame walls shall be insulated by completely filling the cavity with a material having a thermal resistance of R-3 per inch minimum. Exterior thermal envelope insulation for framed walls

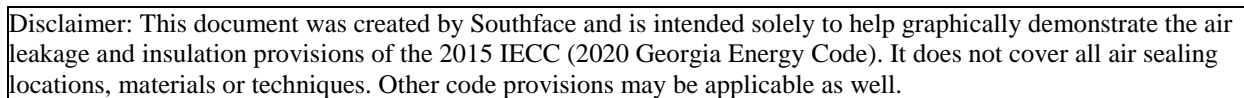
	COMPONENT	AIR BARRIER CRITERIA	INSULATION INSTALLATION CRITERIA
			shall be installed in substantial contact and continuous alignment with the air barrier.
4	Windows, skylights and doors	The space between window/door jambs and framing, and skylights and framing shall be sealed.	
5	Rim joists	Rim joists shall include the air barrier.	Rim joists shall be insulated.
6	Floors (including above garage and cantilevered floors)	The air barrier shall be installed at any exposed edge of insulation.	Floor framing cavity insulation shall be installed to maintain permanent contact with the underside of subfloor decking, or floor framing cavity insulation shall be permitted to be in contact with the top side of sheathing, or continuous insulation installed on the underside of floor framing and extends from the bottom to the top of all perimeter floor framing members.
7	Crawl space walls	Exposed earth in unvented crawl spaces shall be covered with a Class I vapor retarder with overlapping joints taped.	Where provided instead of floor insulation (unvented crawl spaces), insulation shall be permanently attached to the crawlspace walls.
8	Shafts, penetrations	Duct shafts, utility penetrations, and flue shafts opening to exterior or unconditioned space shall be sealed.	Capped chases shall be insulated to surrounding ceiling <i>R</i> -values (maintain clearance from combustion flues).
9	Narrow cavities		Batts in narrow cavities shall be cut to fit, or narrow cavities shall be filled by insulation that on installation readily conforms to the available cavity space.
10	Garage separation	Air sealing shall be provided between the garage and conditioned spaces.	Band area shall be blocked, sealed and insulated.
11	Recessed lighting	Recessed light fixtures installed in the building thermal envelope shall be sealed to the drywall.	Recessed light fixtures installed in the building thermal envelope shall be air tight and IC rated.
12	Plumbing and wiring	Wiring and plumbing penetrations shall be sealed.	Batt insulation shall be cut neatly to fit around wiring and plumbing in exterior walls, or insulation that on installation readily conforms to available space shall extend behind piping and wiring.



	COMPONENT	AIR BARRIER CRITERIA	INSULATION INSTALLATION CRITERIA
13	Shower/tub on exterior wall	The air barrier installed at exterior walls adjacent to showers and tubs shall separate them from the showers and tubs.	Exterior walls adjacent to showers and tubs shall be insulated.
14	Electrical/phone box on exterior walls	The air barrier shall be installed behind electrical or communication boxes or air-sealed boxes shall be installed.	
15	HVAC register boots	HVAC register boots shall be sealed to the subfloor or drywall.	Boots in unconditioned spaces shall be insulated. Recommend insulating boots in conditioned spaces for condensation control.
16	Concealed sprinklers	When required to be sealed, concealed fire sprinklers shall only be sealed in a manner that is recommended by the manufacturer. Caulking or other adhesive sealants shall not be used to fill voids between fire sprinkler cover plates and walls or ceilings.	
17	Blocking between framing (e.g. beneath knee walls, cantilevered floors, garage separation walls)	Blocking shall be sealed to framing.	Insulation shall be in contact with blocking.
18	Common walls	Air barrier is installed in common wall between dwelling units.	
19	Fireplaces	New wood-burning fireplaces shall have tight-fitting flue dampers or doors, and outdoor combustion air.	Fireplace chase insulation shall be restrained to stay in place.

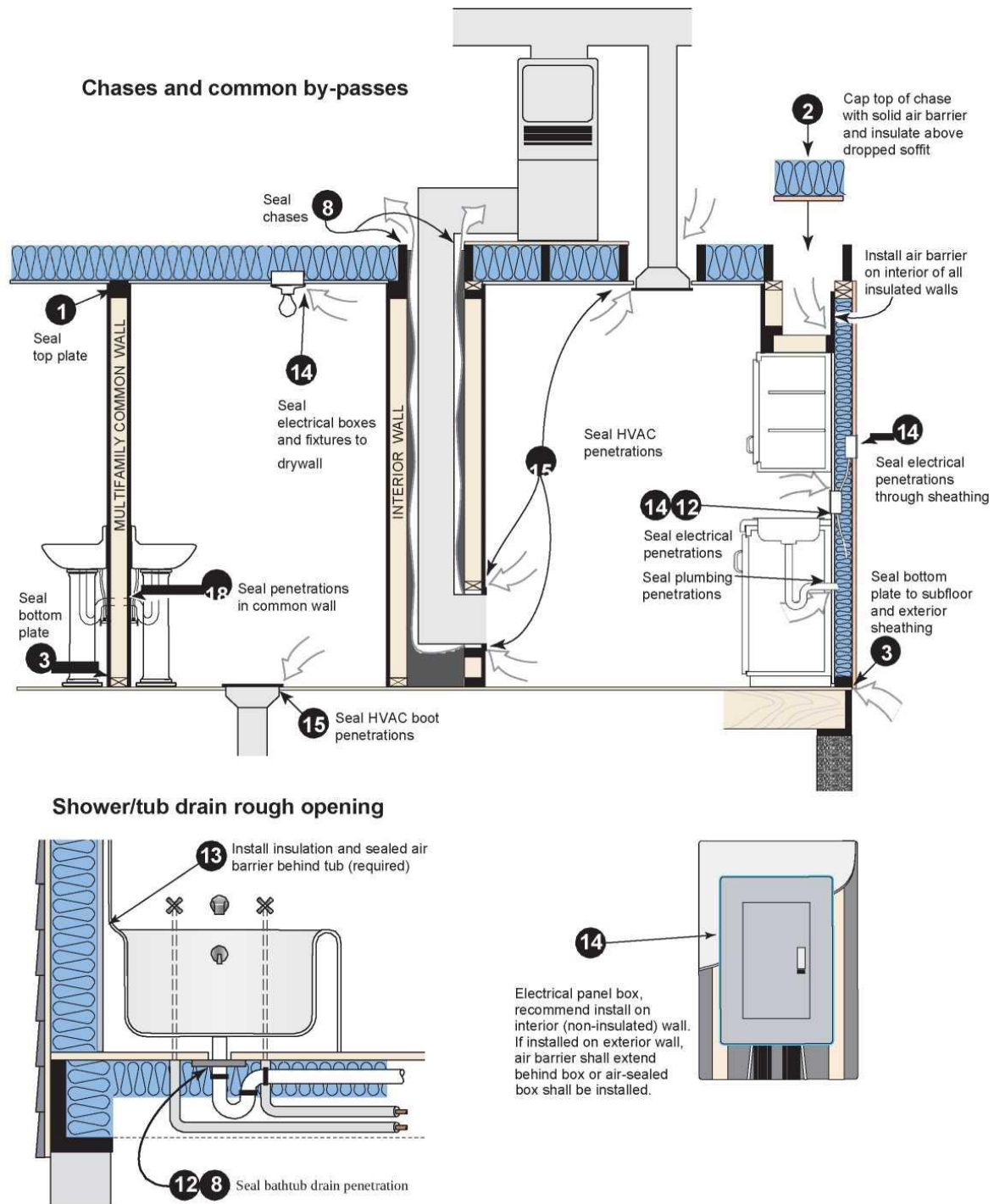
Disclaimer: This document was created by Southface and is intended solely to help graphically demonstrate the air leakage and insulation provisions of the 2015 IECC (2020 Georgia Energy Code). It does not cover all air sealing locations, materials or techniques. Other code provisions may be applicable as well.

## Air sealing key points



## APPENDIX RA

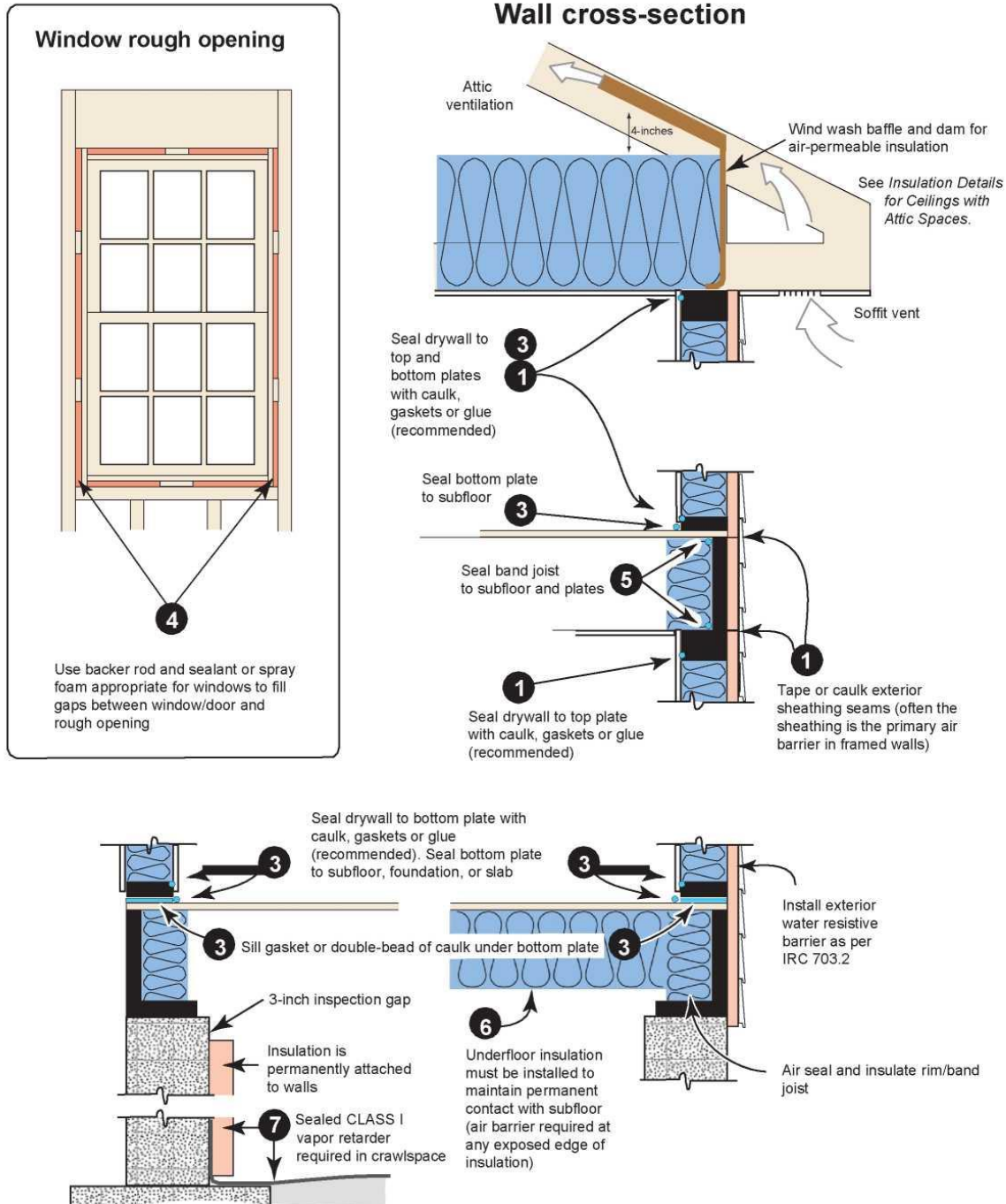
### Air sealing key points (continued)



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## APPENDIX RA

### Air sealing key points (continued)

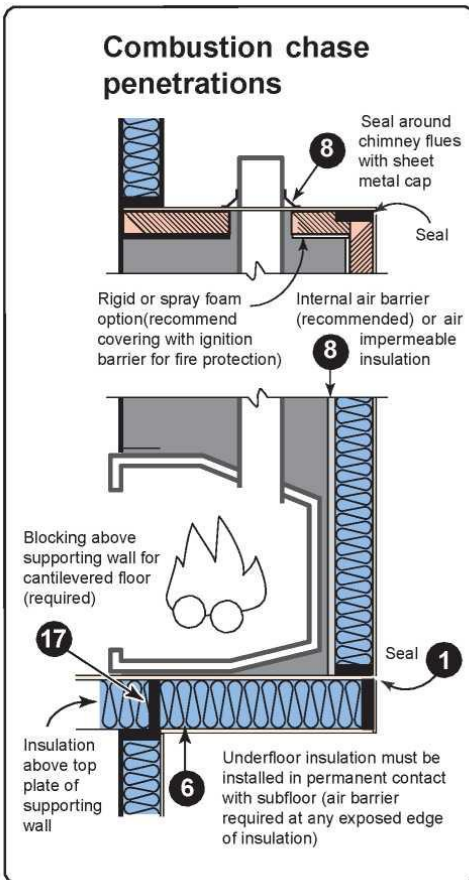


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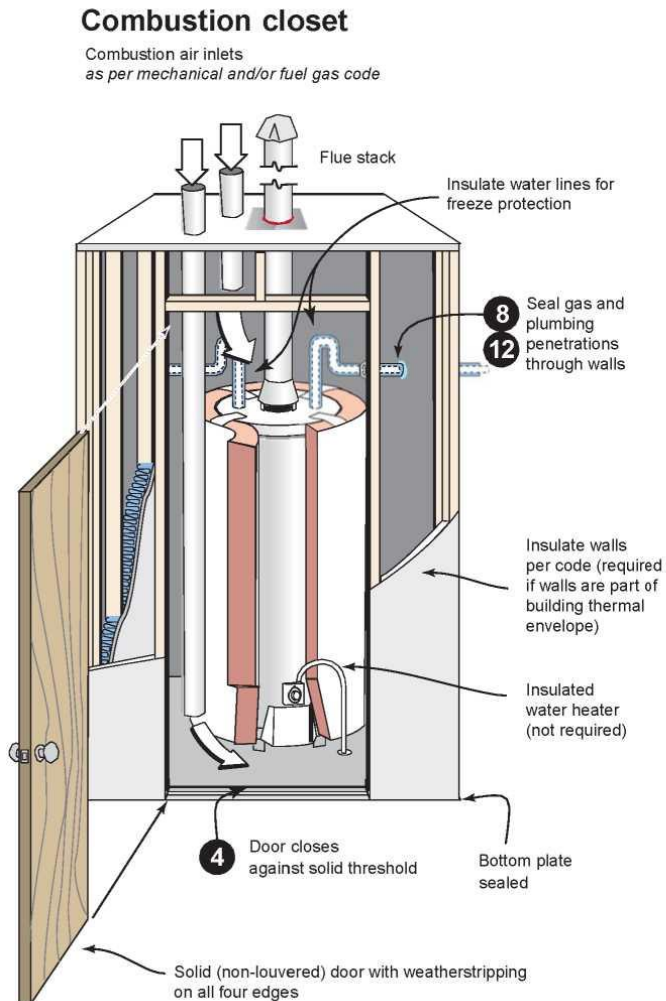
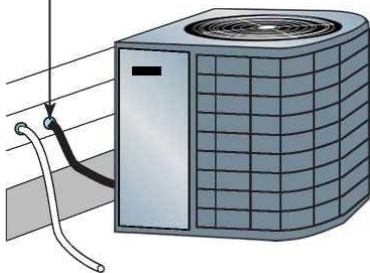
## APPENDIX RA

### Air sealing key points (continued)



### Exterior penetrations

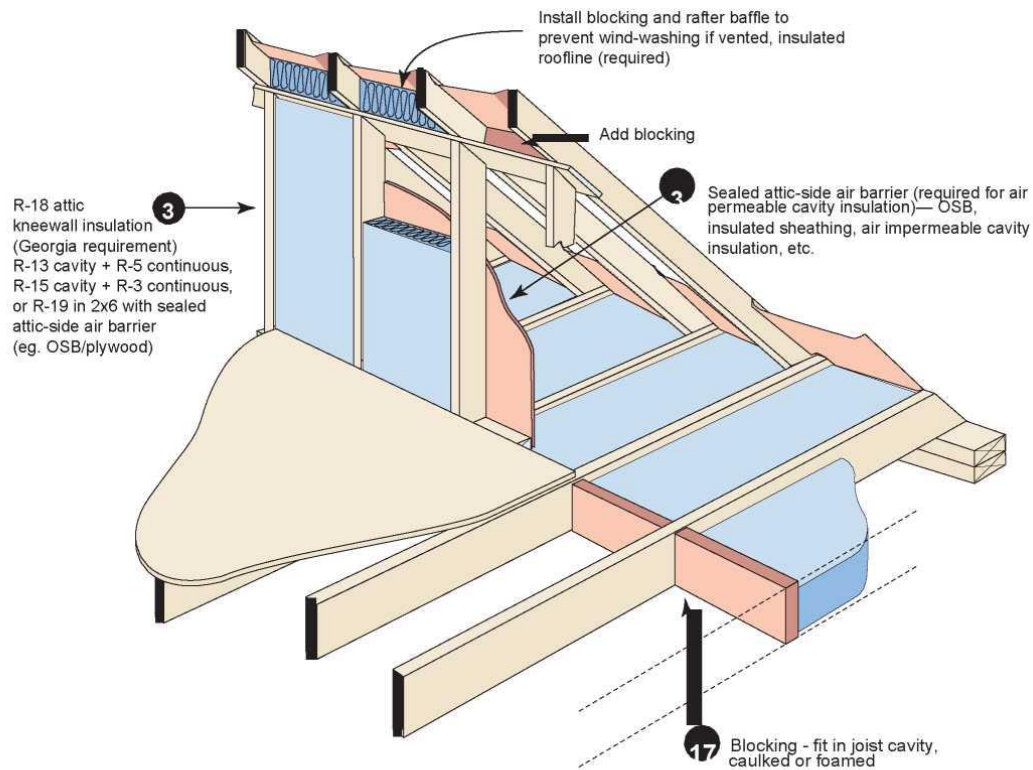
8 12 Seal exterior wall penetrations for refrigeration lines, condensate line, etc.



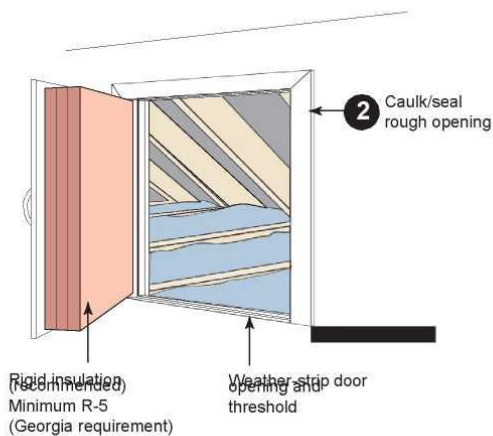
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## APPENDIX RA

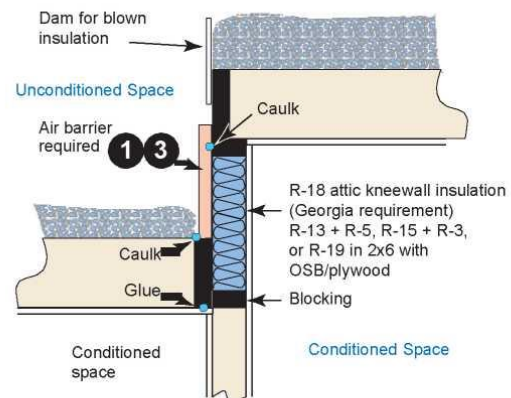
### Air sealing key points (continued)



#### Attic knee-walls



#### Two-level attic

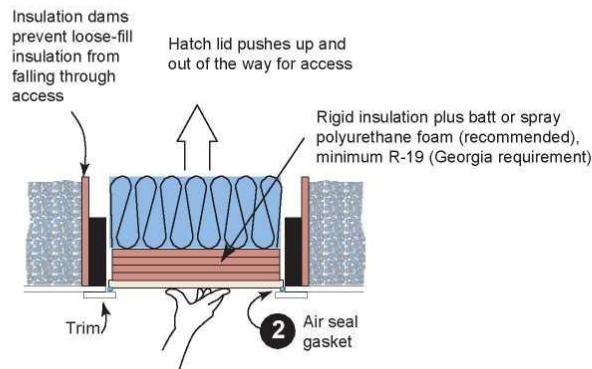


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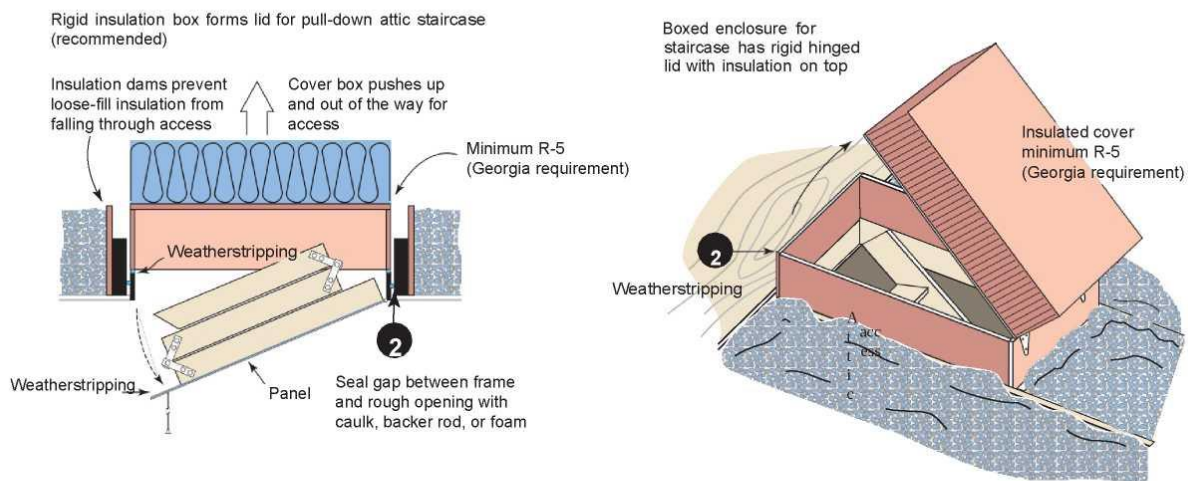
## APPENDIX RA

### Air sealing key points (continued)

#### Attic scuttle



#### Attic pull-down stairs

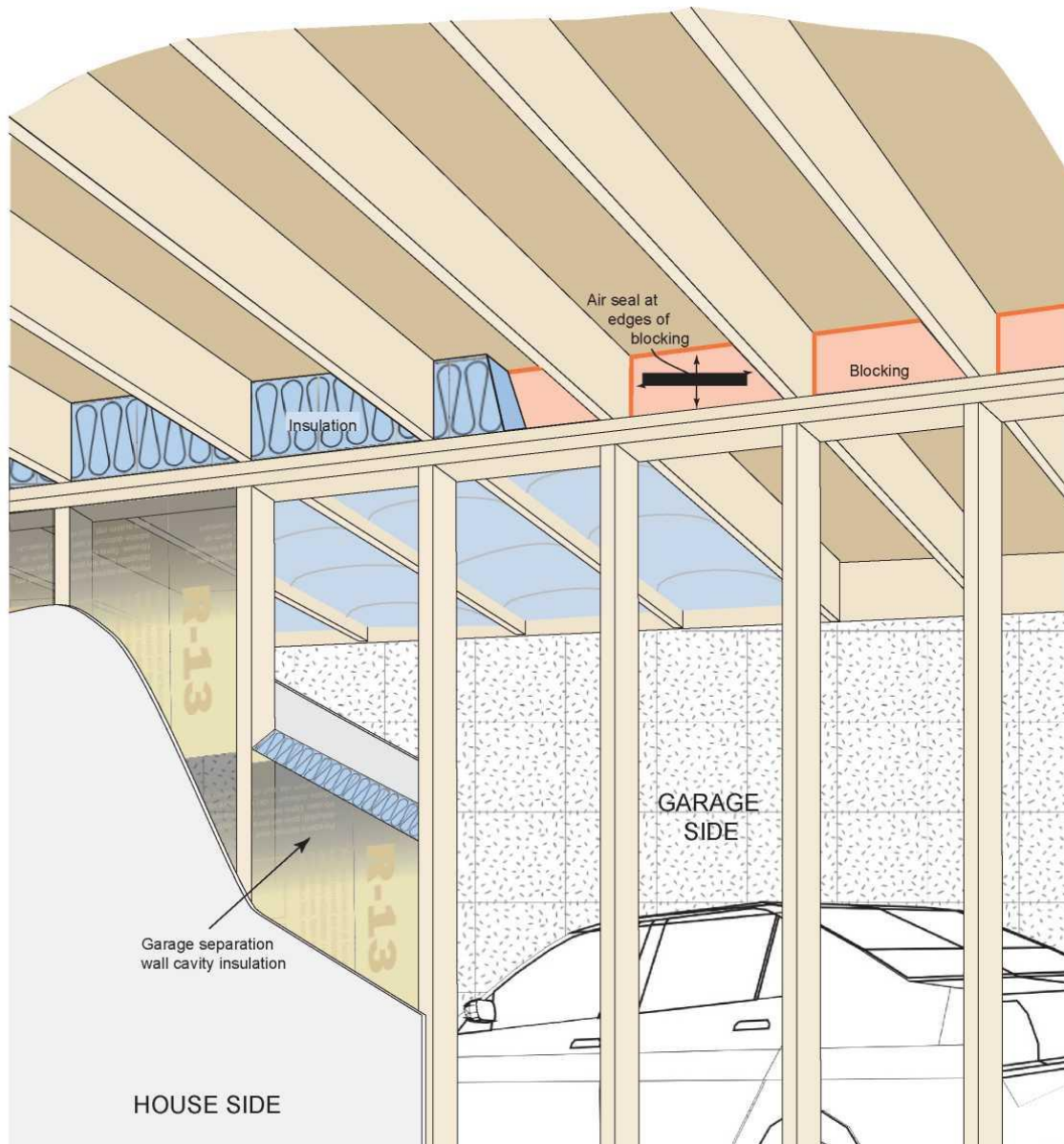


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## APPENDIX RA

### Garage blocking and sealing key points

Blocking, air sealing and insulation required above garage separation wall

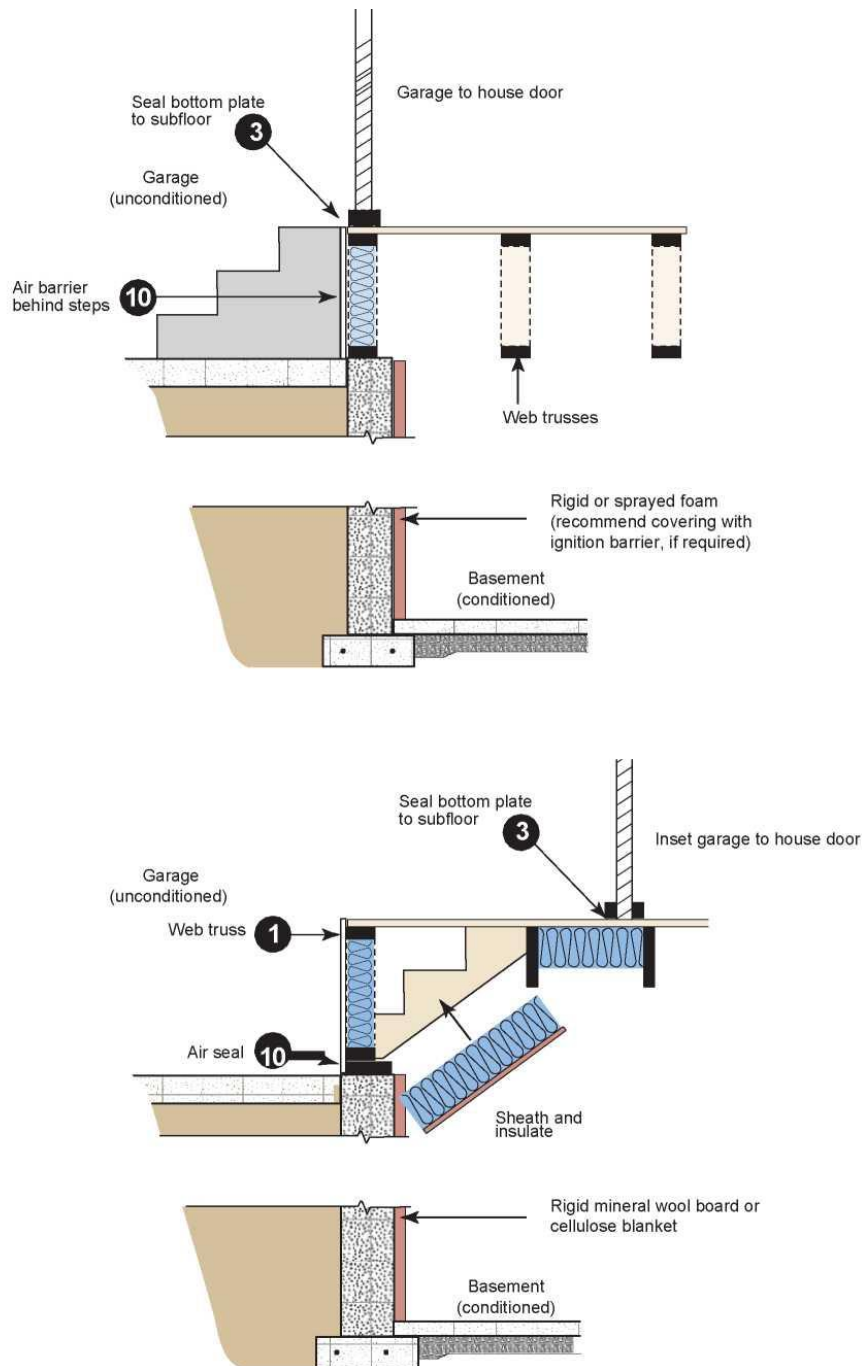


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## APPENDIX RA

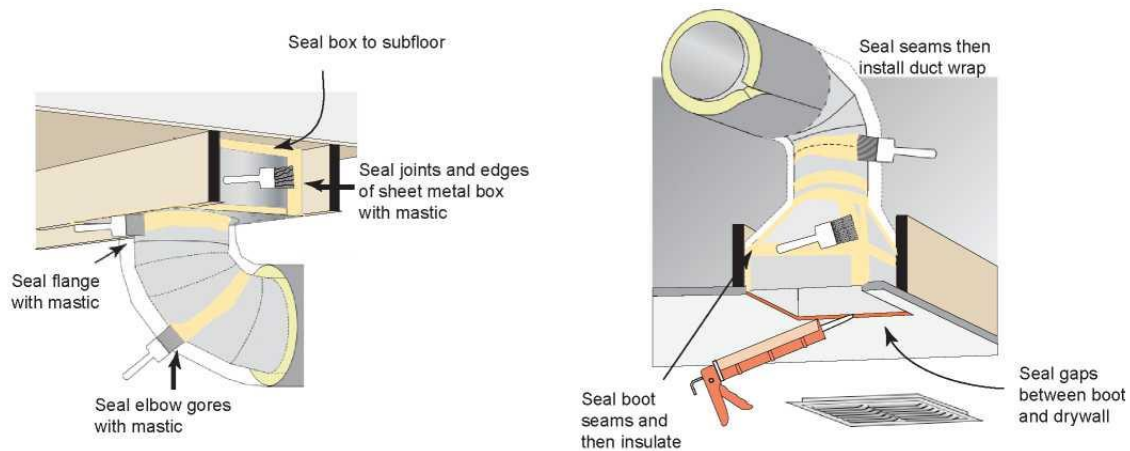
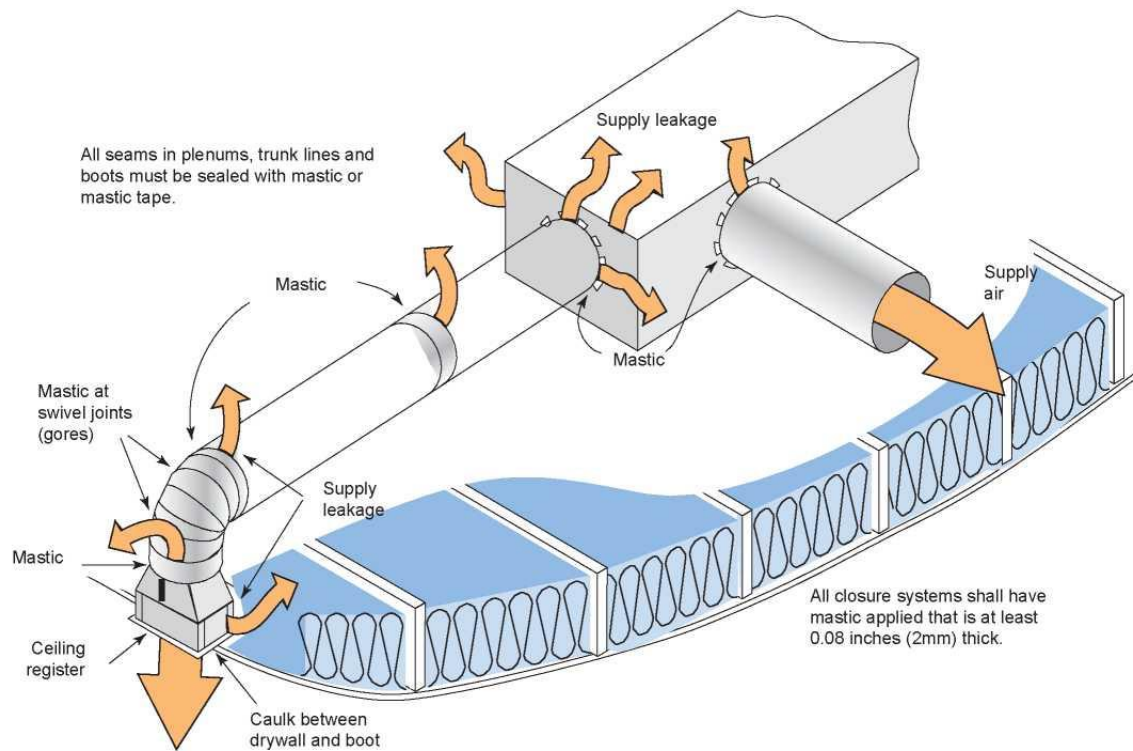
### Air sealing key points (continued)



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## APPENDIX RA

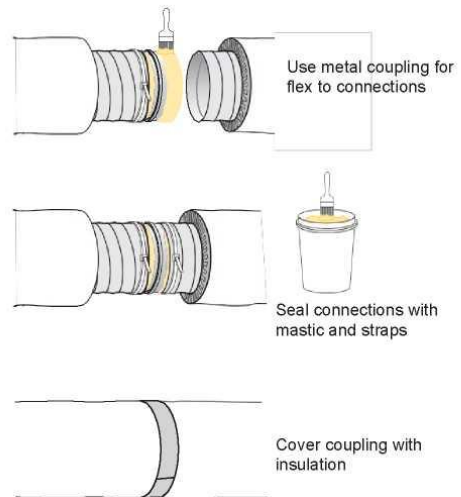
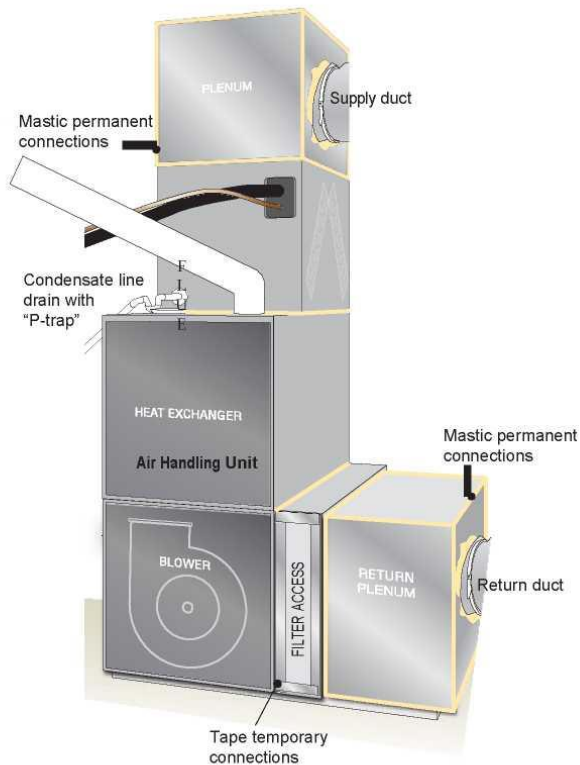
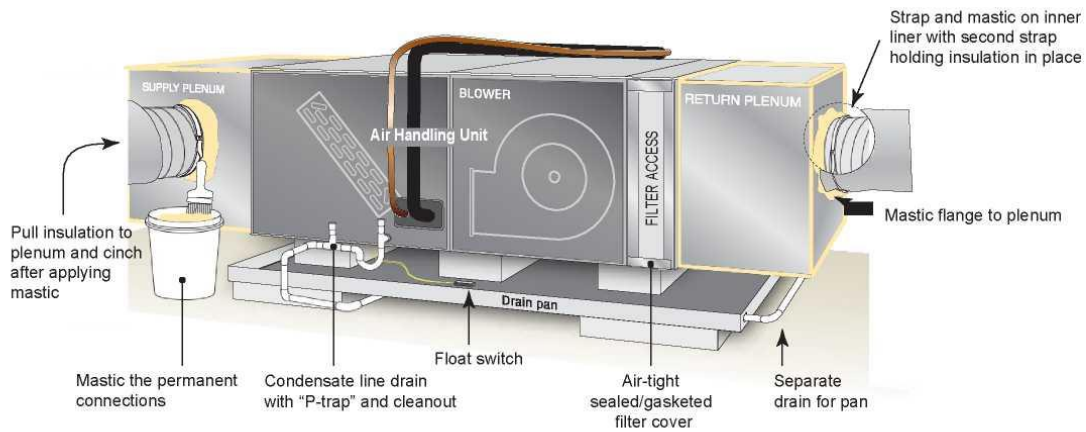
### Duct Sealing key points



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## APPENDIX RA

### Air Handler Sealing key points



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## APPENDIX RA

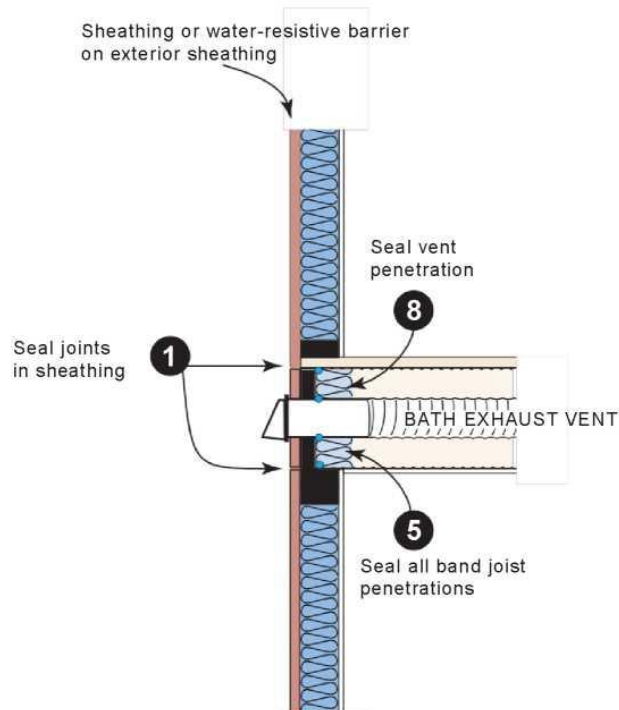
### Air sealing key points (continued) *Multifamily*

#### Multifamily Air-sealing Details

- 8 Cap and seal all chases including chases for grouped utility lines and radon vents

*Seal penetrations in mechanical closet including penetrations for the:*

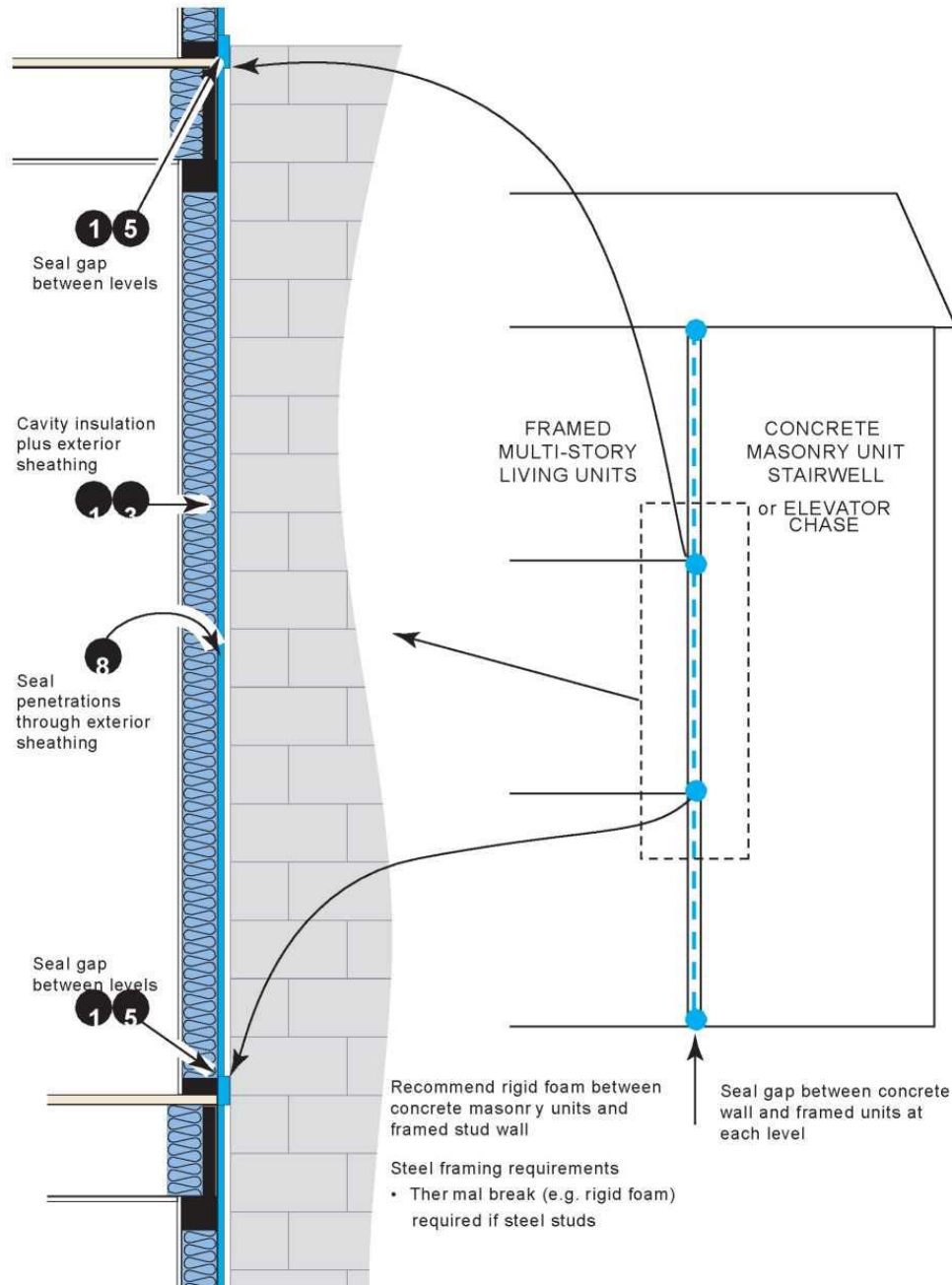
- 8 supply plenum
  - 8 outside air ventilation
  - 8 12 refrigerant line
  - 12 plumbing
  - 12 14 electrical
  - 12 gas fuel
- 5 Seal band area at exterior sheathing side and all penetrations through band
- 1 3 UL-compliant air sealing at drywall finishing for any wall adjacent to stairwell or elevator. Air seal this gap at every change in floor level
- 8 Seal miscellaneous clustered penetrations through building envelope (e.g. refrigerant lines)



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## APPENDIX RA

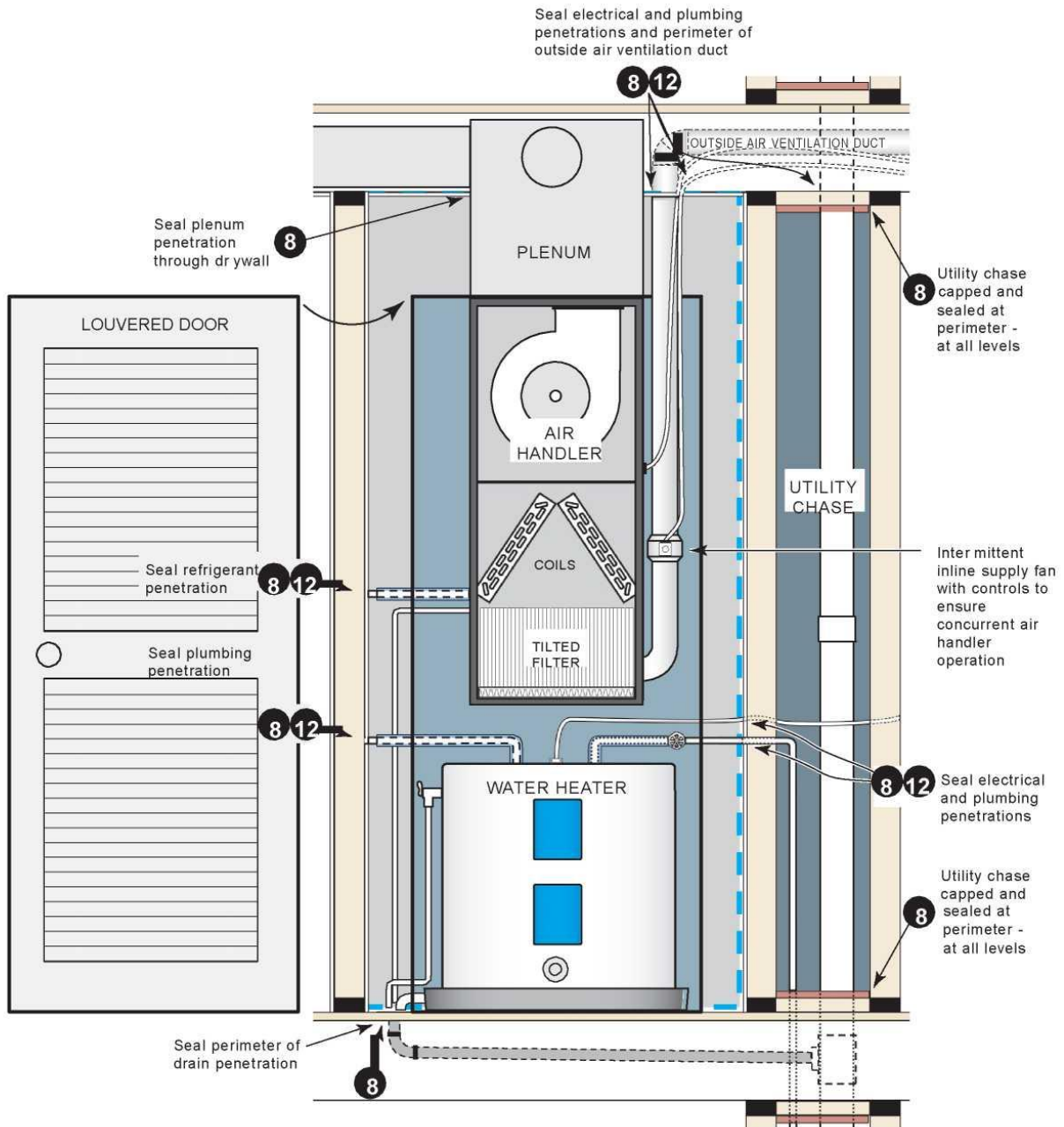
### Air sealing key points (continued) *Multifamily*



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## APPENDIX RA

### Air sealing key points (continued) *Multifamily Mechanical Closet*



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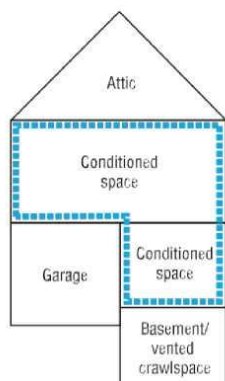
## APPENDIX RA

### Building Thermal Envelope

— The basement walls, exterior walls, floor, roof, and any other building element that enclose conditioned space. This boundary also includes the boundary between conditioned space and any exempt or unconditioned space. —2015 IECC

The *building thermal envelope* is the barrier that separates the conditioned space from the outside or unconditioned spaces. The building envelope consists of two parts - an air barrier and a thermal barrier that must be both continuous and contiguous (touching each other). In a typical residence, the building envelope consists of the roof, walls, windows, doors, and foundation. Examples of unconditioned spaces include attics, vented crawlspaces, garages, and basements with ceiling insulation and no HVAC supply registers.

Example 1 – Prescriptive Compliance

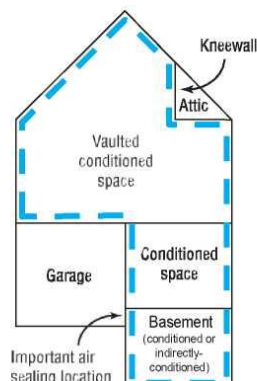


This is a conventional approach that likely locates all ductwork in unconditioned spaces.

#### Prescriptive R-values

- ☐ Flat ceiling: R-38
- ☐ Exterior walls: R-13
- ☐ Floor over garage and basement/crawl: R-19 (climate zones 3 & 4)
- ☐ Ductwork sealed with mastic and insulated to R-8 in attic, R-6 in basement/crawlspace
- ☐ Garage<sup>5</sup>, attic and basement/crawl are unconditioned spaces

Example 2 – Alternate Compliance

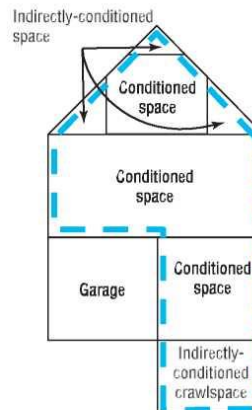


If supply registers deliver conditioned air to basement, it is considered conditioned. With no supply air, it is considered an indirectly-conditioned space.

#### Example R-values<sup>1</sup>

- ☐ Flat ceiling: R-38
- ☐ Kneewalls: R-18 (required)<sup>2</sup> (R-13+ R-5, R-15 + R-3, R-19 in 2x6)
- ☐ Vaulted ceiling: R-20 air-permeable insulation plus R-5 rigid foam board<sup>3</sup>
- ☐ Exterior walls: R-13
- ☐ Basement masonry walls: R-5
- ☐ Basement slab: R-0<sup>4</sup>
- ☐ Ductwork sealed with mastic and insulated to R-8 in attic, R-6 in basement
- ☐ Garage<sup>5</sup> and attic are unconditioned spaces

Example 3 – Alternate Compliance



The top conditioned floor functions as a vaulted ceiling with interior walls although it appears to have kneewalls and a flat ceiling. An advantage of this approach is that all upstairs ductwork is located inside the building envelope.

The crawlspace walls are insulated and do not contain vents. The crawlspace ground is covered with 100% plastic and functions as a "mini-basement."

#### Example R-values<sup>1</sup>

- ☐ Vaulted ceiling: R-20 air-impermeable foam insulation<sup>3</sup>
- ☐ Exterior walls: R-13 + R-5 sheathing
- ☐ Crawlspace walls: R-5
- ☐ Ductwork sealed with mastic and insulated to R-6
- ☐ Garage<sup>5</sup> is unconditioned space

<sup>1</sup> R-values shown are examples and not necessarily prescriptive code requirements. Refer to the Georgia Energy Code for specific prescriptive insulation requirements.

<sup>2</sup> An attic kneewall is any vertical wall that separates conditioned space from an unconditioned attic. In Georgia, kneewalls must be insulated to R-18. A sealed attic-side air barrier (OSB, foil-faced sheathing, etc.) is required when using air permeable insulation.

<sup>3</sup> Requires trade-off since prescriptive ceiling requirement is R-38, see rooftop installed insulation options and section 806.5 of the 2012 IRC.

<sup>4</sup> Slab insulation is not required in Georgia due to termite risk.

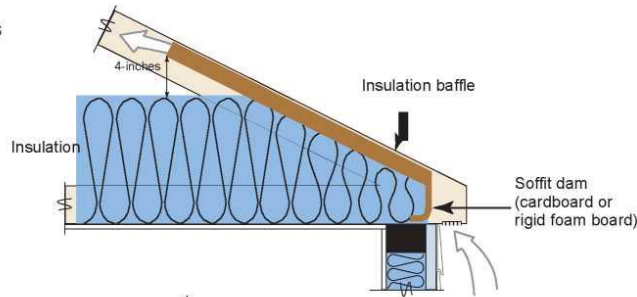
<sup>5</sup> Although there is nothing to prevent the garage walls from being insulated, due to indoor air quality concerns, the garage should never be considered inside the building

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## APPENDIX RA

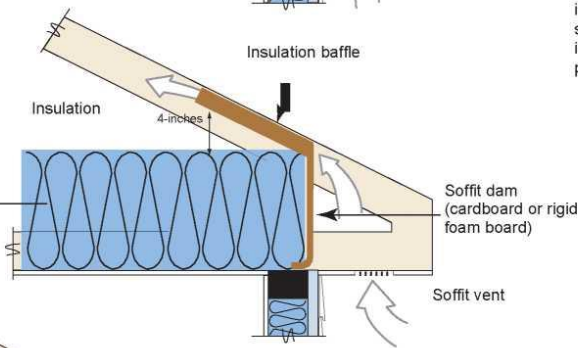
### Insulation Details for Ceilings with Attic spaces Rafter and Truss

**Standard Truss**  
with tapered  
insulation depth

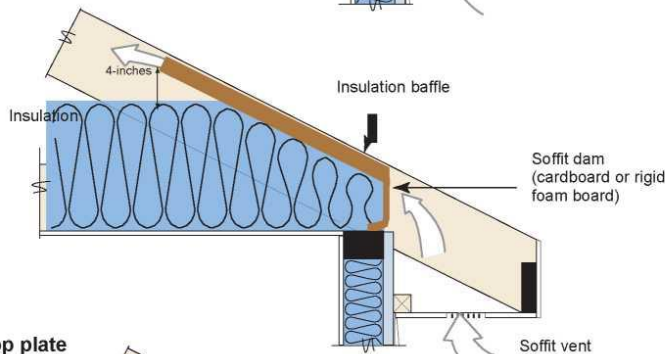


**Energy Truss**  
with full height insulation  
(recommended)

**NOTE:**  
R-30 complete coverage  
is deemed equivalent to  
prescriptive R-38

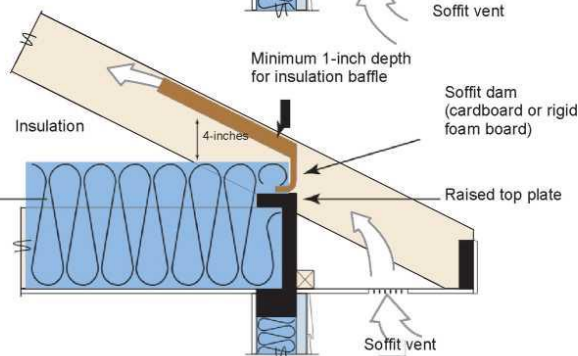


**Standard rafter**  
and top plate  
with tapered  
insulation depth



**Rafter on raised top plate**  
with full height insulation  
(recommended)

**NOTE:**  
R-30 complete coverage  
is deemed equivalent to  
prescriptive R-38



**Note: Wind wash baffle and air-permeable insulation dam.** For air permeable insulation in vented attics, baffles shall be installed adjacent to soffit and eave vents. A minimum of a 1-inch of space shall be provided between the insulation and the roof sheathing and at the location of the vent. The baffle shall extend over the top of the insulation inward until it is at least 4 inches vertically above the top of the insulation. Any solid material such as cardboard or thin insulating sheathing shall be permissible as the baffle.

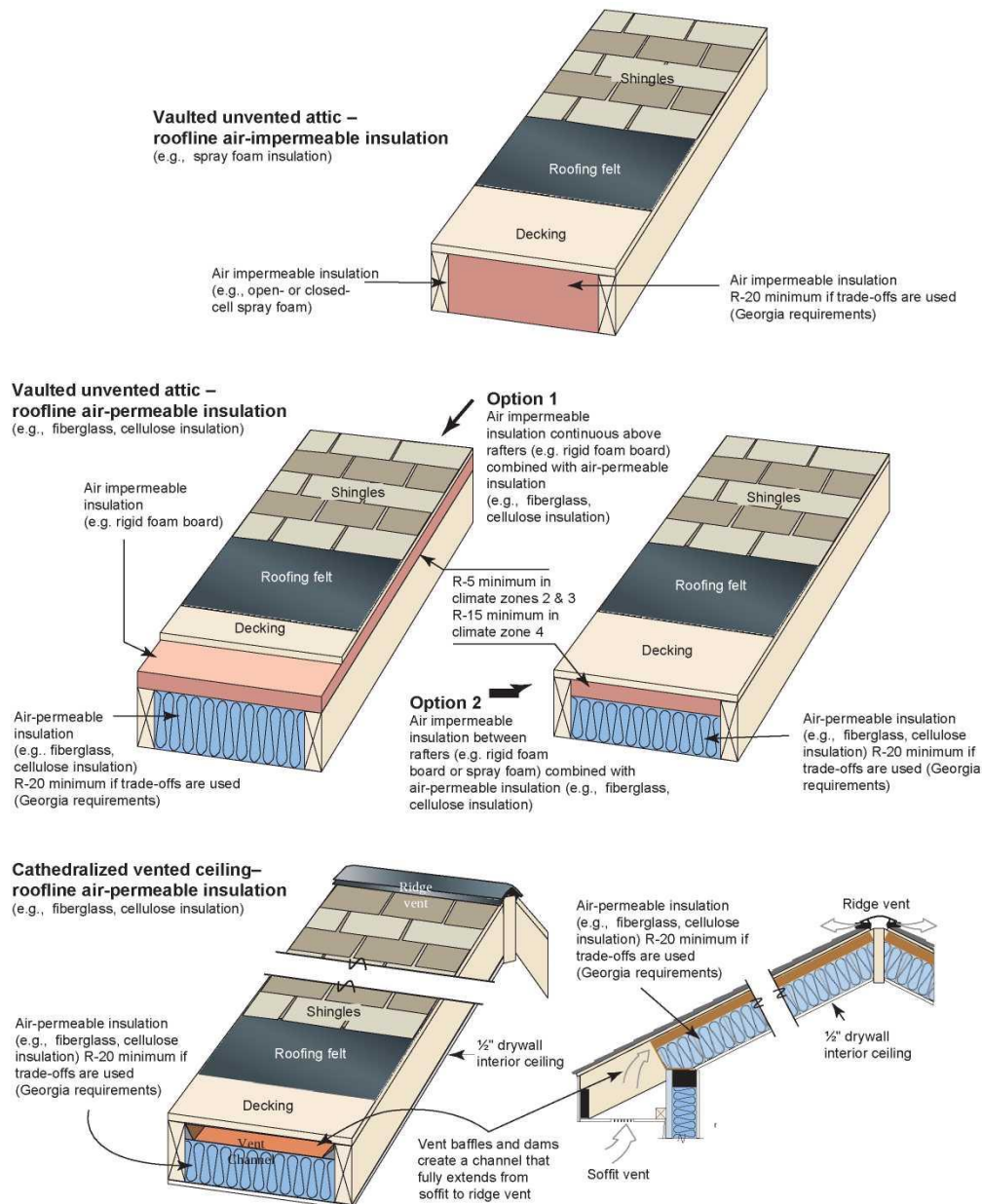
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## APPENDIX RA

### Roofline Installed Insulation Options

Reference Table 402.1.1 and 402.1.6 in the Georgia Energy Code amendments to the 2015 IECC and Section 806.5 “unvented attic assemblies” in the Georgia Amendments to the 2012 IRC



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## APPENDIX RA

### Georgia Insulation Installation - *Passing Grade Details*

**Wall and ceiling** insulation that makes up portions of the building thermal envelope shall be installed to Passing Grade quality.

Two criteria affect installed insulation grading: **voids/gaps** (in which no insulation is present in a portion of the overall insulated surface) and **compression/incomplete fill** (in which the insulation does not fully fill out or extend to the desired depth).

#### Voids/Gaps

- Voids or gaps in the insulation are < 1% of overall component surface area (only occasional and very small gaps allowed for Passing Grade)

#### Compression/Incomplete Fill

- Compression/Incomplete Fill for both *air permeable insulation* (e.g., fiberglass, cellulose) and *air impermeable insulation* (e.g., spray polyurethane foam) must be less than 1 inch in depth or less than 30% of the intended depth, whichever is more stringent. The allowable area of compression/incomplete fill must be less than 2% of the overall insulated surface to achieve a Passing Grade.
- Any compression/incomplete fill with a **depth** greater than the above specifications (up to 1" or 30% of the intended depth, whichever is more stringent) shall not achieve a Passing Grade.

#### Additional Wall Insulation Requirements

- All vertical air permeable insulation shall be installed in substantial contact with an air barrier on all six (6) sides.

*Exception:* Unfinished basements, rim/band joist cavity insulation and fireplaces (insulation shall be restrained to stay in place).

For unfinished basements, air permeable insulation and associated framing in a framed cavity wall shall be installed less than ¼" from the basement wall surface.

- Attic knee wall details - Attic knee walls shall be insulated to a total R-value of at least R-18 through any combination of cavity and continuous insulation. Air permeable insulation shall be installed with a fully sealed attic-side air barrier (e.g., OSB with seams caulked, rigid insulation with joints taped, etc.). Attic knee walls with air impermeable insulation shall not require an additional attic-side air barrier.

**Underfloor insulation** that makes up portions of the building thermal envelope shall be installed to Passing Grade quality.

Two criteria affect installed insulation grading: **voids/ gaps** (in which no insulation is present in a portion of the overall insulated surface) and **compression/incomplete fill** (in which the insulation does not fully fill out or extend to the desired depth).

#### Voids/Gaps

- Voids or gaps in the insulation are minimal for Passing Grade (< 2% of overall component surface area)

#### Compression/Incomplete Fill

- Compression/Incomplete Fill for both *air permeable insulation* (e.g., fiberglass, cellulose) and *air impermeable insulation* (e.g., spray polyurethane foam) must be less than 1 inch in depth or less than 30% of the intended depth, whichever is more stringent. The allowable area of compression/incomplete fill must be less than 10% of the overall insulated surface to achieve a Passing Grade.
- Any compression/incomplete fill with a **depth** greater than the above specifications (up to 1" or 30% of the intended depth, whichever is more stringent) shall not achieve a Passing Grade.
- Air-permeable underfloor insulation shall be permanently installed against the subfloor decking. Adequate insulation supports (e.g., wire staves) for air permeable insulation shall be installed at least every 18-24". Exception: The floor framing-cavity insulation shall be permitted to be in contact with the topside of sheathing or continuous insulation installed on the bottom side of floor framing where combined with insulation that meets or exceeds the minimum wood frame wall R-value and that extends from the bottom to the top of all perimeter floor framing members.

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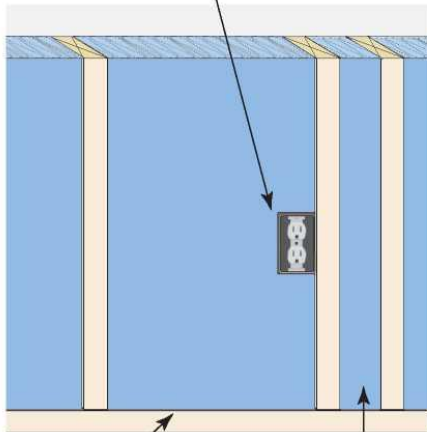
## APPENDIX RA

### Wall Insulation key points

#### Voids / Gaps


Passing Grade 

Insulation is notched and completely surrounds electrical box

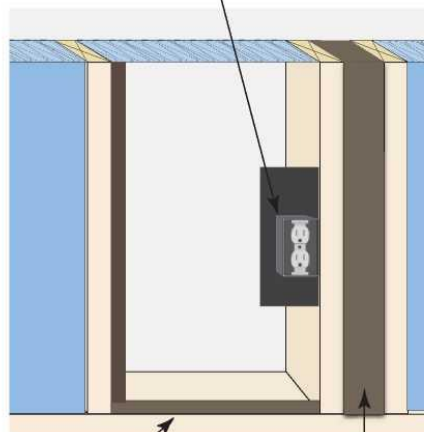


Insulation fully fills cavity at top and bottom

Narrow cavity fully insulated

Unacceptable Installation 

Incomplete insulation coverage around electrical box



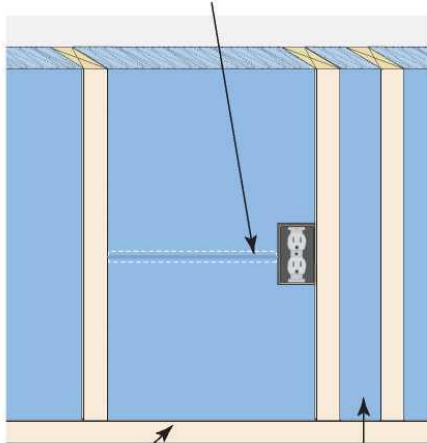
Insulation does not extend to bottom of cavity

Narrow cavity not insulated

#### Compression / Incomplete Fill


Passing Grade 

Insulation is slit around electrical wire

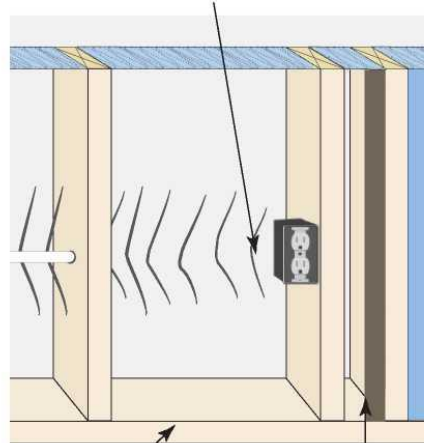


Insulation extends from front to back and fully fills entire cavity

Proper width insulation fully fills narrow cavity

Unacceptable Installation 

Insulation is compressed behind electrical wire



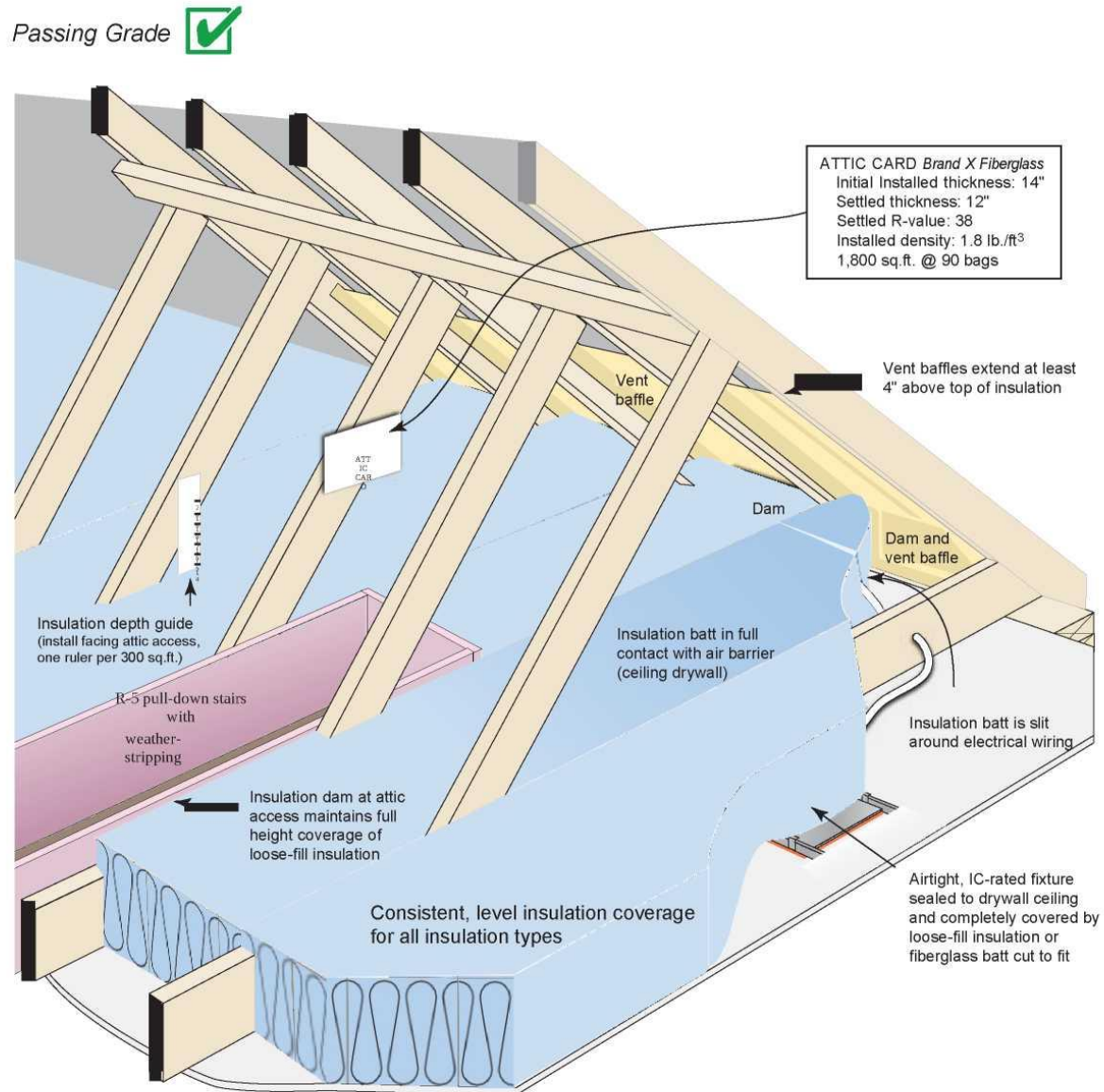
Insulation does not fully fill entire cavity

Improper width insulation is compressed into narrow cavity

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## APPENDIX RA

### Ceiling Insulation key points




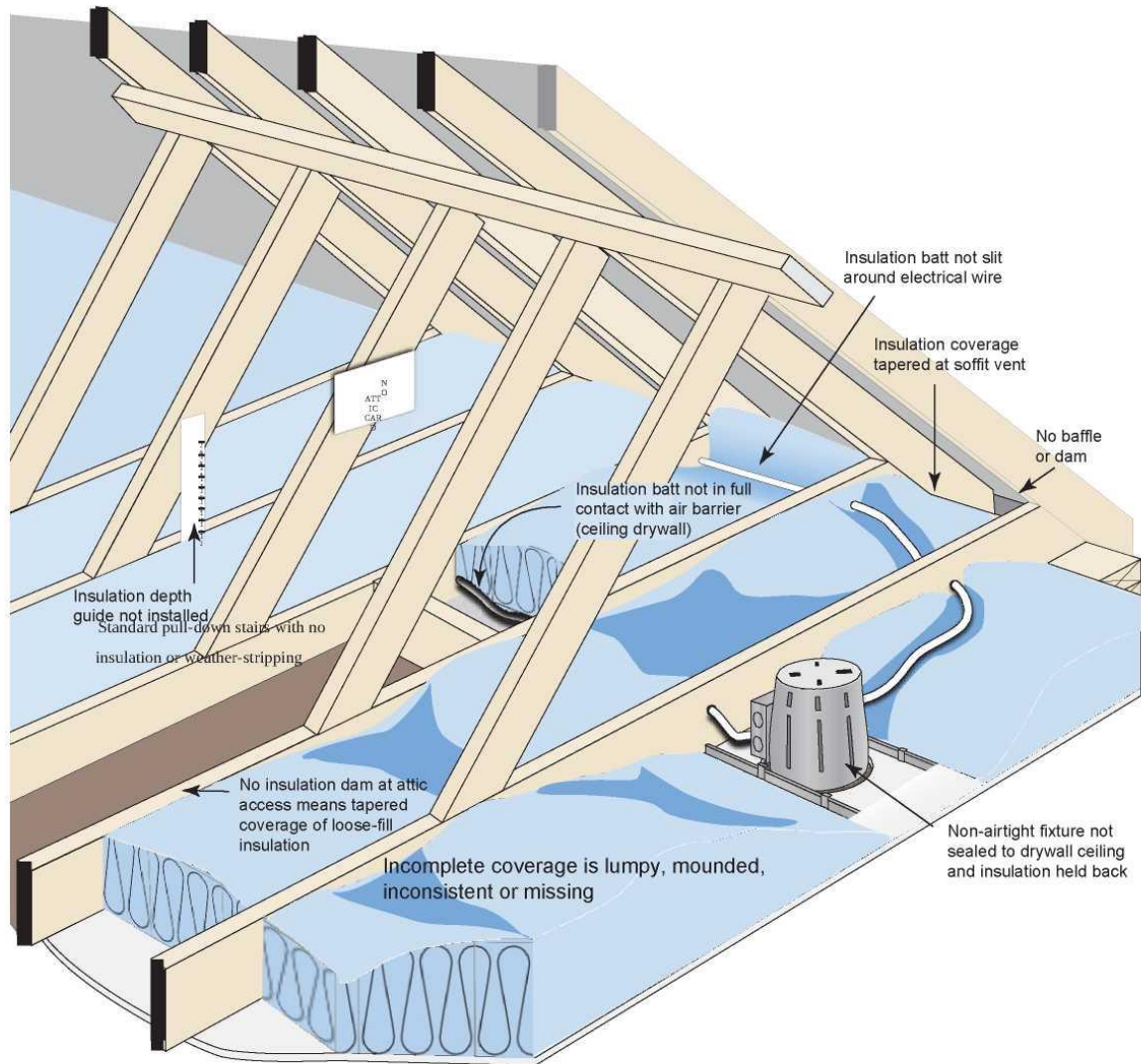
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## APPENDIX RA

### Ceiling Insulation key points

Unacceptable installation 

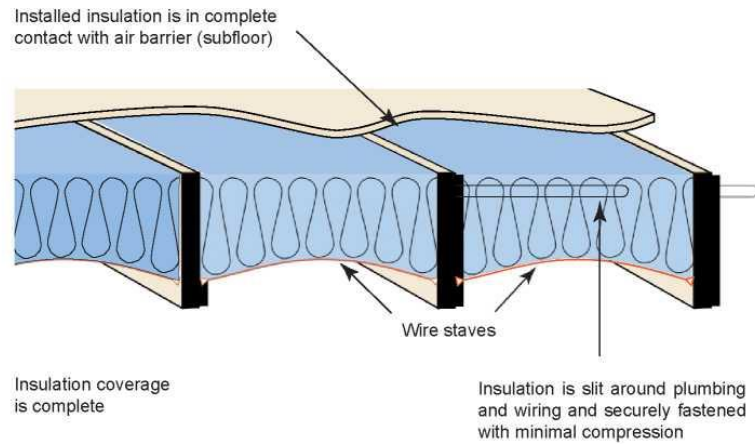


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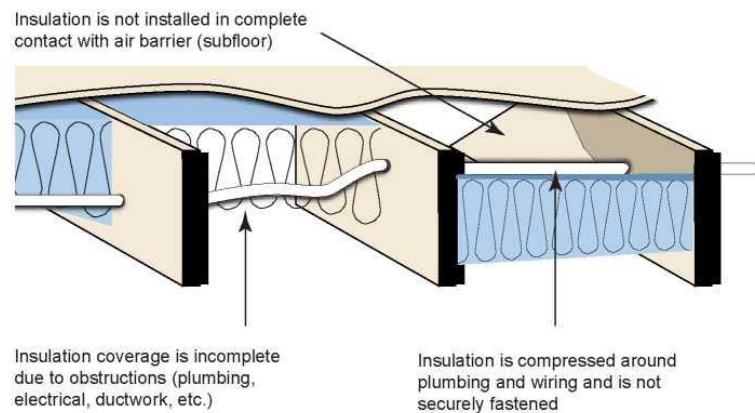
## APPENDIX RA

### Floor Insulation key points

#### Passing Grade



#### Unacceptable Installation



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## APPENDIX RC

### THIRD-PARTY VERIFICATION

#### SECTION RC101

##### GENERAL

RC101.1 **Scope.** The provisions of this appendix govern the requirements for third-party verification of this code.

RC101.2 **Adoption.** The authority having jurisdiction may adopt this appendix to utilize third-party verification of this code.

#### SECTION RC102

##### DEFINITIONS

**THIRD-PARTY VERIFIER.** An independent person or firm responsible for conducting inspections and/or testing and plan review to verify a project's compliance with the provisions of this code.

#### SECTION RC103

##### QUALIFICATIONS

RC103.1 **General.** It shall be the responsibility of the permit holder to retain a qualified *third-party verifier*. The *third-party verifier* shall not be an employee of the owner or builder or have a financial interest in the project.

RC103.2 **Residential buildings.** Third-party verifiers shall have one of the following minimum qualifications to conduct inspections or plan review for the energy efficiency provisions of *residential buildings* as defined by this code:

1. Accredited HERS Rater
2. ICC Residential Energy Inspector/Plans Examiner Certification
3. EarthCraft House Technical Advisor
4. Building Performance Institute (BPI) Analyst
5. Equivalent qualifications as approved by the local *code official*

**Exception:** Where the specific provisions of this code require additional qualifications.

RC103.3 **Commercial buildings.** Third-party verifiers shall have one of the following minimum qualifications to conduct inspections or plan review for the energy efficiency provisions of *commercial buildings* as defined by this code:

1. ICC Commercial Energy Inspector and ICC Commercial Plans Examiner Certifications
2. Equivalent qualifications as approved by the local *code official*

**Exception:** Where the specific provisions of this code require additional qualifications.

#### SECTION RC104



## INSPECTIONS

RC104.1 **General.** Construction or work, conducted under the provisions of this code, for which a permit is required shall be subject to inspection by a *third-party verifier*.

RC104.2 **Inspection requests.** It shall be the duty of the permit holder or their duly authorized agent to notify the *third-party verifier* when work is ready for inspection and to provide access to and means for inspection of such work required by this code.

RC104.3 **Fees.** The permit holder shall be responsible for all fees charged by the *third-party verifier*.

RC104.4 **Residential buildings.** A minimum of two inspections shall be conducted for each residential building. The first inspection shall be conducted prior to the closing-up of building cavities; and shall include verification of compliance with the following: insulation, fenestration, air sealing and duct insulation and sealing. The second inspection shall be conducted after the building has been substantially completed and prior to issuance of a certificate of occupancy. The second inspection shall include verification of compliance with any portions of this code not verified during the first inspection.

RC104.5 **Commercial buildings.** A minimum number of inspections as determined by the *third-party verifier* shall be conducted to ensure verification of compliance with the provisions of Chapter 5 of this code or ASHRAE 90.1.

RC104.6 **Re-inspection.** A building shall be re-inspected when determined necessary by the *third-party verifier* or local *code official*.

RC104.7 **Approval report.** Inspection and verification reports shall be submitted by the *third-party verifier* to the local *code official*.

(Effective January 1, 2020)

## Appendix RD

### Mandatory Compliance Certificate

<b>2020 Georgia Residential Energy Code Compliance Certificate</b> This certificate shall be permanently posted on or in the electrical distribution panel Permit# _____ House Address or Community/Lot# _____				Jurisdiction Logo and/or Contact Information Here	
<b>Building Summary</b>					
Builder Company Name		Signature		Contact (email/phone)	
<b>Compliance Pathway (check one)</b>		<b>Building Envelope (when multiple values per component, list value covering largest area)</b>			
<b>D</b> Prescriptive: R401-404		Ceiling/Roof R-value		Above-grade mass wall R-value	
<b>D</b> UA Trade-off: R402.1.5		Sloped/vaulted ceiling R-value		Cantilevered floors R-value	
<b>D</b> RESCheck: Keyed to 2015 IECC		Exterior wall R-value		Window/Glass Door SHGC	
<b>D</b> Simulated Performance: R405		Kneewall (cavity and/or continuous) R-value		Window/Glass Door U-factor	
<b>D</b> Energy Rating Index (ERI): R406		Foundation (cavity and/or continuous) R-value		Skylight SHGC	
ERI Score		Floors over unconditioned R-value		Skylight U-factor	
<b>Mechanical Summary</b>					
HVAC Company Name			Contact (email/phone)		Date
Heating System Type		Cooling System Type		Water Heating Type	
Efficiency (AFUE, HSPF, COP or other)		Efficiency (SEER, EER or other)		Efficiency (EF or other)	
<input type="checkbox"/> Gas		<input type="checkbox"/> Air conditioner		<input type="checkbox"/> Gas	
<input type="checkbox"/> Heat pump		<input type="checkbox"/> Heat pump		<input type="checkbox"/> Electric	
<input type="checkbox"/> Other		<input type="checkbox"/> Other:		<input type="checkbox"/> Other:	
<input type="checkbox"/> Yes <input type="checkbox"/> No		Manual J, S, D or equivalent complete?			
<b>Required Mechanical Ventilation</b>					
Type (check one)		Design Rate (check one)			
<input type="checkbox"/> Exhaust		<input type="checkbox"/> Continuous		Design Ventilation Rate (CFM)	
<input type="checkbox"/> Supply		<input type="checkbox"/> Intermittent			
<input type="checkbox"/> Balanced		If intermittent, list runtime in min. per hour			
<b>Duct and Envelope Tightness Testing Summary</b>					
DET Verifier		Contact (email/phone)		DET Verifier ID	
<b>Envelope Tightness Testing (&lt; 5 ACH50) (Envelope Tightness = Blower Door Fan Flow x 60 / Thermal Envelope Volume)</b>					
Blower Door Fan Flow (CFM50)		Thermal Envelope Volume (ft <sup>3</sup> )		Envelope Tightness (ACH50)	
If multifamily unit and conducting sampling, this unit is not required to be tested. Mark N/A.					
<b>Duct Tightness Testing (&lt; 6 CFM25/100 ft<sup>2</sup>) (Total Duct Leakage = 100 x Fan Flow / Area Served)</b>					
Number of Heating and Cooling Systems					
<b>Duct Tightness Leakage Test Results</b>					
		System 1		System 2	
		System 3			
If air handler and ductwork located entirely within in conditioned space, testing not required. Mark N/A.					
Location					
Fan Flow (CFM25)					
Area Served (ft <sup>2</sup> )					
Total Duct Leakage (CFM25/100 ft <sup>2</sup> )					
Rough In Total (RIT) or Post Construction Total (PCT)					

Version 1.0

End of Supplements and Amendments.

**Cite as** Ga. Comp. R. & Regs. R. 110-11-1-.34

**AUTHORITY:** O.C.G.A. § [8-2-20](#) *et seq.*

**HISTORY:** Original Rule entitled "International Energy Conservation Code (IECC), 2015 Edition with 2020 Georgia State Amendments" adopted. F. Dec. 7, 2018; eff. Jan. 1, 2020, as specified by the Agency.

Note: Rule 110-11-1-.34 filed December 7, 2018 rescinded and refiled on February 19, 2019; eff. Jan. 1, 2020, as specified by the Agency. In February 2019, the Agency discovered that the wrong version of the Rule was inadvertently filed and contained typographical errors in the dates cited (i.e., "Revised January 1, 2019" and "(Effective January 1, 2019)"). The dates were corrected to "Revised January 1, 2020" and "(Effective January 1, 2020)", as cited in the Rule promulgated and adopted on November 3, 2018. Effective February 19, 2019.

**Amended:** New title, "International Energy Conservation Code (IECC), 2015 Edition with 2020 and 2022 Georgia State Amendments." F. Nov. 18, 2021; eff. Jan. 1, 2022, as specified by the Agency.

# **Department 111. RULES OF DEPARTMENT OF COMMUNITY HEALTH**

## **Chapter 111-8. HEALTHCARE FACILITY REGULATION**

### **Subject 111-8-13. [Effective 12/20/2021] RULES AND REGULATIONS FOR THE GEORGIA CAREGIVER REGISTRY**

#### **111-8-13-.01 [Effective 12/20/2021] Legal Authority**

These rules are adopted and published pursuant to the Official Code of Georgia Annotated §§ [31-7-380](#) et seq.

**Cite as** Ga. Comp. R. & Regs. R. 111-8-13-.01

**AUTHORITY:** O.C.G.A. §§ [31-7-380](#) et seq.

**HISTORY:** Original Rule entitled "Legal Authority" adopted. F. Nov. 30, 2021; eff. Dec. 20, 2021.

#### **111-8-13-.02 [Effective 12/20/2021] Title and Purpose**

These rules, known as the Rules and Regulations for the Georgia Caregiver Registry, establish the minimum standards for the Georgia Caregiver Registry which allows employers who are family members or guardians of elderly persons to conduct an employment eligibility determination for an applicant or employee who will provide personal care services for the employer's family members or wards.

**Cite as** Ga. Comp. R. & Regs. R. 111-8-13-.02

**AUTHORITY:** O.C.G.A. § [31-7-380](#).

**HISTORY:** Original Rule entitled "Title and Purpose" adopted. F. Nov. 30, 2021; eff. Dec. 20, 2021.

#### **111-8-13-.03 [Effective 12/20/2021] Definitions**

In these rules, unless the context otherwise requires, the terms set forth herein shall mean the following:

- (a) "Applicant" means an individual applying to provide personal care services to an elderly person in a residence or location not licensed by the Department.
- (b) "Caregiver Registry" means the database established by the Department to provide private family employers with access to employee or applicant eligibility determinations.
- (c) "Criminal Background Check" means a search of the criminal records maintained by the Georgia Crime Information Center (GCIC) and the Federal Bureau of Investigation to determine whether an applicant or employee has a criminal record.
- (d) "Department" means the Department of Community Health.
- (e) "Elderly Person" means an individual who is 65 years of age or older.
- (f) "Employee" means any individual who is providing personal care services to an elderly person in a residence or location not licensed by the Department.

(g) "Employer" means an individual who is considering an applicant or has hired an employee for a family member or ward.

(h) "Family Member" means an individual with a close familial relationship, including, but not limited to, a spouse, parent, sibling, or grandparent.

(i) "Personal care services" means home care, health care, companionship, or transportation and includes, but is not limited to, providing assistance with bathing, eating, dressing, walking, shopping, fixing meals, and housework.

(j) "Records Check Application" means fingerprints in such form and of such quality as prescribed by GCIC under standards adopted by the FBI and a records search fee, payable in such form as the Department may direct to cover the cost of obtaining a criminal background check.

(k) "Registry Check" means a review of the nurse aide registry provided in O.C.G.A. § [31-2-14](#), the state sexual offender registry, and the List of Excluded Individuals and Entities as authorized in Sections 1128 and 1156 of the federal Social Security Act, as it existed on February 1, 2018, or other registry useful for the administration of these rules as specified by the Department.

(l) "Ward" means an elderly person for whom a guardian has been appointed pursuant to O.C.G.A. § [29-1-1](#) et seq.

**Cite as** Ga. Comp. R. & Regs. R. 111-8-13-.03

**AUTHORITY:** O.C.G.A. §§ [31-7-381](#), [31-7-386](#).

**HISTORY:** Original Rule entitled "Definitions" adopted. F. Nov. 30, 2021; eff. Dec. 20, 2021.

#### **111-8-13-.04 [Effective 12/20/2021] Use of the Georgia Caregiver Registry**

(1) The Georgia Caregiver Registry will enable employers who are family members or guardians of elderly persons in Georgia to obtain an employment eligibility determination for applicants or employees who are providing personal care services to the employer's family members or wards.

(2) The Caregiver Registry shall be used solely for those applicants or employees that offer personal care related services to an elderly person that is an employer's family member or ward in the State of Georgia. Personal care services performed pursuant to these rules shall not be performed at facilities licensed by the Department.

(3) The use of the Georgia Caregiver Registry is voluntary and not required by state or federal law.

(4) The Georgia Caregiver Registry shall not be used by facilities licensed by the Department, or other entities, or individuals who are not employers, as defined in this rule, to determine a person's employment status or for any other purpose.

(5) DCH will allow employers to use the Georgia Caregiver Registry to inquire about the eligibility status of an applicant or current employee as if they were applying to work or working in one of the facilities licensed under O.C.G.A. § [31-7-351\(8\)](#) if the following requirements are met:

(a) the applicant or employee agrees to such request,

(b) the applicant or employee provides his or her fingerprints as set forth in O.C.G.A. Article 14, Chapter 7, Title 31; and

(c) the applicant or employee provides written consent to the inclusion of the results in the Georgia Caregiver Registry.

(6) If the requirements in Section 111-8-13-.04(5)(a)-(c) are satisfied, DCH shall issue a written eligibility determination to the applicant or employee. The employer shall be responsible for all employment decisions made

based on the eligible or ineligible employment determination. Any fees associated with such check shall be paid by the employer, applicant, or employee.

(7) Should the applicant or employee refuse to include the results of their criminal background check into the Georgia Caregiver Registry then the Department shall not issue a determination as defined in O.C.G.A. §§ [31-7-351\(15\)](#) and [\(16\)](#).

**Cite as** Ga. Comp. R. & Regs. R. 111-8-13-.04

**AUTHORITY:** O.C.G.A. §§ [31-7-380](#), [31-7-382](#), [31-7-383](#).

**HISTORY:** Original Rule entitled "Use of the Georgia Caregiver Registry" adopted. F. Nov. 30, 2021; eff. Dec. 20, 2021.

### **111-8-13-.05 [Effective 12/20/2021] Appeals of Ineligibility Determinations**

(1) If an applicant or employee receives an ineligible determination notice by the Department and wishes to appeal the ineligible determination, the applicant or employee must appeal by requesting an appeal in writing within ten (10) days of receipt of the notice. The applicant or employee must submit their request in writing to the Department at 2 Peachtree St., N.W., 5<sup>th</sup> Floor, Atlanta, Georgia 30303.

(2) An applicant or employee who receives an ineligible determination or whose name appears on a registry check conducted pursuant to these rules shall be eligible to appeal such determination pursuant to Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." In a hearing held pursuant to this paragraph, the hearing officer shall consider in mitigation the length of time since the crime was committed, the absence of additional criminal charges, the circumstances surrounding the commission of the crime, and other indicia of rehabilitation.

**Cite as** Ga. Comp. R. & Regs. R. 111-8-13-.05

**AUTHORITY:** O.C.G.A. §§ [31-7-360](#), [31-7-384](#).

**HISTORY:** Original Rule entitled "Appeals of Ineligibility Determinations" adopted. F. Nov. 30, 2021; eff. Dec. 20, 2021.

### **111-8-13-.06 [Effective 12/20/2021] Severability**

In the event that any rule, sentence, clause, or phrase of any of these rules and regulations may be construed by any court of competent jurisdiction to be invalid, illegal, unconstitutional, or otherwise unenforceable, such determination or adjudication shall in no manner affect the remaining rules or portions thereof. The remaining rules or portions of rules shall remain in full force and effect, as if such rule or portions thereof so determined, declared, or adjudged invalid or unconstitutional were not originally a part of these rules.

**Cite as** Ga. Comp. R. & Regs. R. 111-8-13-.06

**AUTHORITY:** O.C.G.A. §§ [31-2-5](#), [31-2-7](#), [31-7-386](#).

**HISTORY:** Original Rule entitled "Severability" adopted. F. Nov. 30, 2021; eff. Dec. 20, 2021.

# **Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION**

## **Chapter 160-1.**

### **Subject 160-1-4. GRANT PROGRAMS**

#### **160-1-4-.302 Title I, Part A, Section 1003 School Improvement Supporting Multi-Sensory Reading Instruction Training Grant**

1. **Purpose of Grant.** The purpose of the grant is to provide funds to local educational agencies (LEA) with federally identified elementary schools to support leaders and teachers in the teaching of reading to meet the needs of each student and to improve outcomes for specific subgroups.

2. **Term and Conditions.** Grants are awarded through a competitive process to local educational agencies (LEA) with federally identified schools. LEAs must (1) respond to a need identified in its comprehensive needs assessment, (2) focus on supports for subgroups to increase student achievement in reading, and (3) select one of the strong, moderate, or promising evidence-based interventions identified within the grant application. Recipients must also agree to produce a report at the conclusion of the grant period. Grant award funds are one-time funds and must be used during the fiscal year in which the funds are awarded. There is no allowability for carryover.

3. **Eligible Recipient(s).** Eligible applicants must be LEAs serving Title I elementary schools identified as either (1) comprehensive support and improvement, (2) targeted support and improvement, or (3) comprehensive support and improvement promise, as these categories are defined in the Every Student Succeeds Act.

4. **Criteria for Award.** Applications will be reviewed and scored by the Georgia Department of Education. Funding will be awarded based on rank (the highest score first) and available funding. All recipients will receive 100% of their proposed budget until funds are exhausted. No partial grants will be awarded.

5. **Directions and Deadlines for Applying.** Information about the grant, including the deadline, can be found on the Office of School Improvement, Division of School and District Effectiveness's webpage (<https://www.gadoe.org/School-Improvement/School-Improvement-Services/Pages/default.aspx>) or by contacting the Office of School Improvement at [schoolimprovement@doe.k12.ga.us](mailto:schoolimprovement@doe.k12.ga.us). Information about the grant will be shared with all eligible districts.

**Cite as** Ga. Comp. R. & Regs. R. 160-1-4-.302

**AUTHORITY:** O.C.G.A. § [20-2-240](#).

**HISTORY:** Original grant description entitled "Title I, Part A, Section 1003 School Improvement Supporting Multi-Sensory Reading Instruction Training Grant" submitted Nov. 17, 2021.

# **Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION**

## **Chapter 160-4.**

### **Subject 160-4-2. DIVISION OF GENERAL INSTRUCTION**

#### **160-4-2-.12 [Effective 11/24/2021] Comprehensive Health and Physical Education Program Plan**

##### **(1) DEFINITIONS.**

- (a) **Alcohol and other drug use education** - a planned program of instruction that provides information about the use, misuse and abuse of alcohol, tobacco, legal and illegal drugs.
- (b) **Disease prevention education** - a planned program of instruction that provides information on how to prevent chronic and infectious diseases, including sexually transmitted diseases.
- (c) **Psychomotor skills** - skills that use hands-on practice to support cognitive learning for cardiopulmonary resuscitation (CPR) and use of an automated external defibrillator (AED).
- (d) **Sex education/AIDS education** - a planned program that shall include instruction relating to the handling of peer pressure, promotion of high self-esteem, local community values, and abstinence from sexual activity as an effective method of preventing acquired immune deficiency syndrome and the only sure method of preventing pregnancy and sexually transmitted diseases. This instruction shall emphasize abstinence from sexual activity until marriage and fidelity in marriage as important personal goals.
- (e) **Fitness assessment program** - annual assessment measuring and reporting health related fitness in the areas of aerobic capacity, body composition, flexibility, muscular strength, and muscular endurance.

##### **(2) REQUIREMENTS.**

- (a) The local board of education shall develop and implement an accurate, comprehensive health and physical education program that shall include information and concepts in the following areas.

1. Alcohol and other drug use
2. Disease prevention
3. Environmental health
4. Nutrition
5. Personal health
6. Sex education/AIDS education
7. Safety
8. Mental health
9. Growth and development



10. Consumer health
11. Community health
12. Health careers
13. Family living
14. Motor skills
15. Physical fitness
16. Lifetime sports
17. Outdoor education
18. Fitness assessment

(b) Each school containing any grade K-5 shall provide a minimum of 90 contact hours of instruction at each grade level K-5 in health and physical education.

(c) Each school containing any grade 6-12 shall make available instruction in health and physical education.

(d) Each school containing any grade K-12 shall provide alcohol, tobacco, vapor products, and other drug use education on an annual basis at each grade level.

(e) Each local board of education shall develop procedures to allow parents and legal guardians to exercise the option of excluding their child from sex education and AIDS prevention instructional programs.

1. Sex education and AIDS education shall be a part of a comprehensive health program.

2. Sex education shall also include annual age-appropriate sexual abuse and assault awareness and prevention education in kindergarten through grade 9.

3. Prior to the parent or legal guardian making a choice to allow his or her child or ward to take the specified unit of instruction, he or she shall be told what instruction is to be provided and have the opportunity to review all instructional materials to be used, print and nonprint. Any parent or legal guardian of a child to whom a course of study in sex education is to be taught shall have the right to elect, in writing, that such child not receive such course of study.

(f) Each local board of education shall establish a committee to review periodically sex/AIDS education instructional materials and make recommendations concerning age/grade level use. Recommendations made by the committee shall be approved by the local board of education before implementation. The committee shall be composed primarily of nonteaching parents who have children enrolled in the local public schools and who represent the diversity of the student body augmented by others such as educators, health professionals and other community representatives. The committee shall also include a male and female student currently attending the 11th or 12th grade in the public schools.

(g) Each local school system shall conduct an annual fitness assessment program, as approved and funded by the State Board of Education, one time each school year for students in grades one through 12, to be conducted only during a physical education course that is taught by a certificated physical education teacher in which a student is enrolled. Such assessments shall include methods deemed by the State Board of Education as appropriate to ascertain levels of student physical fitness. Each local school system shall report the individual results of the fitness assessment to the parent or guardian of each student assessed and the aggregate results of the fitness assessments by school to the State Board of Education annually in a format approved and funded by the State Board of Education. The minimum required contents of the report shall be determined by the State Board of Education.

(h) Each local board of education which operates a school with grades nine through 12 shall provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to its students as a requirement within one of the required health or physical education courses (Health (17.011), Health and Personal Fitness (36.051), or Advanced Personal Fitness (36.061)) to satisfy this requirement. Such instruction shall incorporate the psychomotor skills necessary to perform cardiopulmonary resuscitation and to use an automated external defibrillator. Each local board of education shall report adherence to this requirement as determined by the Georgia Department of Education. The instructional program shall include either of the following:

1. An instructional program developed by the American Heart Association or the American Red Cross, or
2. An instructional program which is nationally recognized and is based on the most current national evidence based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator.

(i) Each local board of education which operates a school with grades 6 through 12 shall provide instruction in human trafficking awareness on an annual basis at each grade level.

**Cite as** GA Regs. 160-4-2-.12

**AUTHORITY:** O.C.G.A. §§ [20-2-142\(b\), \(c\)](#); [20-2-143](#); [20-2-149.1](#); [20-2-777](#).

**HISTORY:** Original Rule entitled "Comprehensive Health and Physical Education Program Plan" adopted. F. Sept. 27, 1990; eff. Oct. 17, 1990.

**Amended:** F. Mar. 17, 1993; eff. Apr. 6, 1993.

**Amended:** F. June 29, 2000; eff. July 19, 2000.

**Amended:** F. Mar. 14, 2011; eff. Apr. 3, 2011.

**Amended:** F. Aug. 22, 2013; eff. Sept. 11, 2013.

**Amended:** F. Aug. 23, 2018; eff. Sept. 12, 2018.

**Amended:** F. Nov. 4, 2021; eff. Nov. 24, 2021.

# Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

## Chapter 160-5.

### Subject 160-5-1. REGIONAL EDUCATIONAL SERVICES

#### 160-5-1-.15 [Effective 11/24/2021] Awarding Units of Credit and Acceptance of Transfer Credit and/ or Grades

##### (1) DEFINITIONS.

(a) **Accredited School** - an elementary, middle, or secondary school accredited by or holding provisional status from one of the accrediting agencies identified in O.C.G.A. § [20-3-519\(6\)\(A\)](#) or O.C.G.A. § [20-3-519\(6\)\(B\)](#). The term does not include entities that are accredited as home study programs or non-traditional educational centers.

(b) **End-of-Course (EOC) Assessment** - Assessments administered at the completion of core high school courses specified by the State Board of Education, in accordance with O.C.G.A. § [20-2-281\(f\)](#), to measure student achievement in the four content areas of English/Language Arts, Mathematics, Science, and Social Studies.

(c) **Home Study Program** - an educational choice option conducted in Georgia in accordance with O.C.G.A. § [20-2-690\(c\)](#) or conducted in another state in accordance with the laws applicable to that state.

(d) **Non-traditional Educational Center** - educational institutions that support home study programs or other independent learning initiatives. This term does not include alternative/non-traditional education programs operated by local boards of education.

(e) **Private School** - an educational choice option conducted in Georgia in accordance with O.C.G.A. § [20-2-690\(b\)](#) or conducted in another state in accordance with the laws applicable to that state.

(f) **Subject Area Competency** - a unit of high school credit awarded to students based on subject area competency as demonstrated by a pre-defined score on state-adopted or approved assessment instruments, instead of or in combination with the completion of courses through traditional classroom instructional minutes as described in section (2)(f) of this rule.

(g) **Unit of Credit** - evidence of course completion as demonstrated by a final course grade of 70 or higher on a numerical scale; or competency-based course credit as demonstrated by a pre-defined score on state-adopted or approved assessment instruments.

(h) **Validation** - the process of verifying credits earned at another educational institution.

##### (2) REQUIREMENTS.

###### (a) Applicability.

(1) Local boards of education shall apply the requirements of this rule to all students regardless of the date in which they first entered ninth grade.

###### (b) Awarding Units of Credit for Courses Taken in Georgia Public Schools

1. Local boards of education shall award units of credit only for courses that include concepts and skills based on the state-adopted curriculum for grades 9-12 approved by the State Board of Education.

2. Local boards of education may award units of credit for courses offered in the middle grades that are based on the state-adopted curriculum for grades 9-12 approved by the State Board of Education.
3. Local boards of education shall not award units of credit for courses in which instruction is based on the state-adopted curriculum for grades K-8.

**(c) Awarding Units of Credit for Dual Enrollment Courses.**

1. Local boards of education shall award units of credit to students for high school courses taken through postsecondary institutions as described in the State Board of Education Rule [160-4-2-.34](#) DUAL ENROLLMENT - MOVE ON WHEN READY.

**(d) Awarding Units of Credit for Career, Technical and Agricultural Education (CTAE) courses with Embedded Academic Core Standards.**

1. Local boards of education shall award course credit for the CTAE course and course credit for the associated academic core course to students who successfully complete a course or course sequence in the CTAE program of study that includes embedded standards from an academic core subject area as adopted by the State Board of Education.
2. A student shall not earn more than three units of credit for academic core courses by completing CTAE courses that include embedded standards from an academic core subject area.
3. Units of credit earned through CTAE courses that contain embedded standards from an academic core subject area shall be awarded as outlined in the Georgia Department of Education's *Guidance for Awarding Units of Credit*.
4. Local boards of education shall administer the appropriate End of Course (EOC) assessment to a student taking a CTAE course with embedded academic core courses of an area for which an EOC assessment has been adopted unless the student has already passed such EOC assessment.

**(e) Awarding Units of Credit for Mathematics Courses for Students Receiving Special Education Services Under the Individuals with Disabilities Education Act (IDEA).**

1. In addition to other provisions of this rule, local boards of education shall award units of credit for mathematics courses that will satisfy the mathematics course requirements in State Board of Education Rule [160-4-2-.48](#) to a student receiving special education services under IDEA if the student meets all of the following:
  - (i) Prior to the student entering the ninth grade, the student's Individualized Education Program (IEP) Team identified that the student had a disability that affected mathematics achievement.
  - (ii) The student successfully earns two units of credit, in accordance with this rule. The first unit of credit will be earned from one of the following: Mathematics I, GPS Algebra, CCGPS Coordinate Algebra, GSE Coordinate Algebra, or GSE Algebra I. The second unit of credit will be earned from one of the following: Mathematics II, GPS Geometry, CCGPS Analytic Geometry, GSE Analytic Geometry, or GSE Geometry.
  - (iii) The student successfully earns course credit, in accordance with this rule for at least two other state-approved mathematics courses, which may include, but are not limited to, Mathematics Support courses.
2. Local boards of education shall inform parents and students that students who do not complete Mathematics III, GPS Advanced Algebra, CCGPS Advanced Algebra, GSE Advanced Algebra, or GSE Algebra II may not meet the mathematics admission requirements for entry into a University System of Georgia institution or other post-secondary institution without additional coursework.
3. The IEP Team for students who receive Mathematics course credit in accordance with paragraph (2)(e) of this rule shall document that:

(i) The student's disability has precluded the student from achieving grade-level proficiency, as demonstrated by the student's pattern of performance on the state-mandated test in the area of Mathematics;

(ii) The student's progress to date in response to appropriate instruction, including special education and related services designed to address the student's individual needs, is such that, even if significant growth occurs, the IEP team is reasonably certain that the student will not successfully master the standards in Mathematics III, GPS Advanced Algebra, CCGPS Advanced Algebra, GSE Advanced Algebra, or GSE Algebra II. Additionally, the determination of the student's progress has been based on multiple measurements that are valid for the content area of mathematics and that have been collected over a period of time; and

(iii) The student has access to instruction in the state-adopted curriculum. The student's IEP includes goals that are related to mathematics, support access to the content standards, and are designed to promote the student's progress in the content area state-adopted curriculum.

**(f) Subject Area Competency to Receive Course Credit.**

1. Local boards of education shall award a unit of credit to a student when:

(i) The student successfully completes courses of study based on the state-adopted curriculum. As provided in State Board of Education Rule [160-4-2-.13](#) Statewide Passing Score, the student must receive at least a course grade of 70 to be eligible to receive credit for a course; or

(ii) The student successfully demonstrates subject area competency through a pre-defined score on state-adopted or approved assessment instruments as outlined in the Georgia Department of Education's *Guidance for Awarding Units of Credit*. Students may earn no more than three units of credit by demonstrating subject area competency under this paragraph.

**(g) Accepting Transfer Credit and Grades.**

1. Local boards of education shall accept student course credit earned in an accredited school. The school shall have been accredited or holding provisional status at the time the credit was earned.

(i) Local boards of education shall not substitute courses and exempt students from the required secondary minimum core curriculum unless the student transferred from an accredited secondary school or the courses presented for credit shall meet criteria identified in paragraph (2)(b) of this rule and any applicable local policy.

2. Each local board of education shall adopt a policy for validating credit for courses taken at a nonaccredited schools, home study programs, and non-traditional educational centers. The policy shall include the following:

(i) Definitions consistent with this rule;

(ii) Procedures for determining whether transfer courses meet the state-adopted curriculum;

(iii) Procedures for placing transfer students in elementary and middle grades at the appropriate level and for granting units of credit for high school students;

(iv) Procedures for administering EOC assessment in accordance with the Georgia Department of Education's assessment guidelines and paragraph (2)(h) of this rule; and

(iv) At least one of the following:

(I) A probationary placement based on the student's records in prior school(s), home study programs or non-traditional educational centers and satisfactory performance of the student in a school under the authority of the local board of education for one or more grading periods; or

(II) Student performance on assessments administered by the local board of education. These assessments may be standardized or locally developed and should focus on group placement, subject area and grade level.

**(h) End of Course (EOC) Assessment Administration to Transfer Students.**

1. Local boards of education shall administer the EOC assessment to students enrolled in a Georgia public school while also enrolled in a private school, home study program, or non-traditional educational center for which they receive graduation credit for one of the required EOC assessment courses. These students must take the EOC assessment regardless of the private school, home study program, or non-traditional educational center's accreditation status.
2. Local boards of education shall not require students who enroll from accredited schools to take and pass the EOC assessment to receive credit for an EOC assessment course unless the student was concurrently enrolled in a Georgia public school while taking the course at an accredited private school.
3. Local boards of education shall require students who enroll from non-accredited private schools, home study programs, or other non-traditional educational centers to take and pass the EOC assessment with a minimum of 70 grade conversion score to receive credit for the course. A student enrolling from a non-accredited school will receive one test administration opportunity to demonstrate proficiency in order to earn credit for a course that requires the EOC assessment. If the student does not pass the EOC assessment on that administration, the local board of education shall not grant credit for that course. If the course is required to be eligible to receive a high school diploma, the student shall enroll in the course and take the EOC assessment at the completion of the course.

**(i) Military Dependents.**

1. Notwithstanding any other portion of this rule, local boards of education shall utilize O.C.G.A. § [20-17-2](#) to award course credit for students who are dependents of military personnel as defined by that code section.

**Cite as** GA Regs. 160-5-1-.15

**AUTHORITY:** O.C.G.A. §§ [20-2-159.3](#); [20-2-159.4](#); [20-2-159.5](#); [20-2-240](#); [20-2-281](#); [20-2-690](#); [20-3-519](#); [20-17-2](#).

**HISTORY:** Original Rule entitled "Acceptance of Transfer Credit and/or Grades" adopted. F. Nov. 21, 1991; eff. Dec. 11, 1991.

**Amended:** F. Aug. 14, 1998; eff. Sept. 3, 1998.

**Amended:** F. Feb. 15, 2002; eff. Mar. 7, 2002.

**Amended:** F. Feb. 14, 2008; eff. Mar. 5, 2008.

**Amended:** New title "Awarding Units of Credit and Acceptance of Transfer Credit and/or Grades." F. Apr. 9, 2013; eff. Apr. 29, 2013.

**Amended:** F. Sep. 22, 2016; eff. Oct. 12, 2016.

**Amended:** F. Nov. 4, 2021; eff. Nov. 24, 2021.

# **Department 183. RULES OF STATE ELECTION BOARD**

## **Chapter 183-1. GEORGIA ELECTION CODE**

### **Subject 183-1-12. PREPARATION FOR AND CONDUCT OF PRIMARIES AND ELECTIONS**

#### **183-1-12-.12 [Effective 11/21/2021] Tabulating Results**

(a) After the Polls Close.

1. Immediately after the polls close and the last voter has voted, the poll manager and two witnesses who have been previously sworn as poll officers as provided in O.C.G.A. §§ [21-2-94](#) and [21-2-95](#) shall begin the closing procedure on each ballot scanner so that no further votes are cast and record the number of scanned ballots from every ballot scanner used in the polling place. The poll manager and the two witnesses shall record the number of scanned ballots from each scanner on a recap form to be developed by the Secretary of State. The poll manager and the two witnesses shall cause each ballot scanner to print three tapes of the tabulated results and shall sign each tape indicating that it is a true and correct copy of the tape produced by the ballot scanner. If the poll manager or the witnesses have reason to believe that printed tapes are not a true and correct tabulation of the ballots scanned by that ballot scanner, the poll manager or witness shall document the reasons and evidence for that belief and inform the election superintendent, who shall take appropriate action, in his or her discretion, so that the ballots in the ballot box associated with the ballot scanner are accurately tabulated.

2. The poll manager shall cause the number of printed ballots from each ballot marking device to be recorded on the recap form. The poll manager shall further cause the number of spoiled ballots and ballots placed in the emergency bin of the scanner that were unable to be scanned to be recorded on the recap form. The poll manager shall cause the total number of voter check ins from the electronic poll book and/or paper voter list to be recorded on the recap form. If the numbers recorded on the recap form do not reconcile with each other, the poll manager shall immediately determine the reason for the inconsistency; correct the inconsistency, if possible; and fully document the inconsistency or problem along with any corrective measures taken.

3. As soon as possible after the polls close and the last elector votes, the poll manager shall advise the election superintendent of the total number of ballots scanned into the ballot scanner, the total number of provisional ballots issued at the precinct, and the total number of any cast but unscanned ballots in a scanner emergency bin in the manner prescribed by the Secretary of State.

4. One of the three tapes of the tabulated results printed from the ballot scanner shall be affixed to the door of the polling place for the information of the public along with a copy of the provisional ballot recap form for the polling place. One tape shall be placed into an envelope (or reusable document storage container suitable for the same purposes) provided by the election superintendent, along with the "poll officer" memory card from the ballot scanner. The envelope shall be sealed by the poll manager and the same two witnesses who signed the tape such that the envelope cannot be opened without breaking such seal. The poll manager and the two witnesses shall initial the envelope indicating that it contains the correct tape and memory card from the indicated ballot scanner. The envelope shall be labelled with the name of the polling place, the serial number of the ballot scanner, and the number assigned to the ballot scanner for that election. The third tape shall be placed into another envelope with the polling place recap form.

5. The poll manager and two witnesses who have been sworn as poll officers as provided in O.C.G.A. §§ [21-2-94](#) and [21-2-95](#) shall unseal and open each ballot box, remove the paper ballots from each ballot box, and place the paper ballots into a durable, portable, secure and sealable container to be provided for transport to the office of the election superintendent. A separate container shall be used for the paper ballots from each ballot box and the container shall be labelled with the polling place, ballot scanner serial number, the number assigned to the ballot scanner for that election, the count of the ballots from the tabulation tape, and the date and time that the ballot box

was emptied. The container shall be sealed and signed by the poll manager and the same two witnesses such that it cannot be opened without breaking the seal. The poll manager and the two witnesses shall sign a label affixed to the container indicating that it contains all of the correct ballots from the indicated ballot box and no additional ballots.

6. The poll manager and the same two witnesses who emptied the ballot box shall complete and sign a form indicating that the ballot box was properly emptied and the ballots were properly stored and secured. Such form shall be delivered to the election superintendent with the completed polling place recap form. The ballot box shall be resealed and the new seal numbers shall be documented.

7. The envelopes containing the tabulation tape and the memory card, the containers containing the paper ballots, the completed polling place recap forms, voter access cards, supervisor's cards, electors lists, numbered lists of voters, electronic poll books, and other such paperwork shall be delivered to the election superintendent by the poll manager and at least one other sworn poll officer or law enforcement official. The election superintendent or his or her designee shall receive the materials and shall issue a receipt to the poll manager for the materials. The poll manager and any poll officers who travelled with the materials shall sign a form indicating that no sealed documents were unsealed enroute and that the materials have not been tampered with. The election superintendent, in his or her discretion, may allow a designee of the poll manager to deliver the envelopes or containers containing the ballot scanner tabulation tapes and memory cards to be used for unofficial reporting of results prior to the delivery of the other polling place materials provided that the same procedures for transit and delivery set forth herein are followed.

8. Before leaving the polling place, the poll manager shall power off, secure, and seal all electronic ballot markers, ballot boxes, and ballot scanners. The polling place shall be locked to prohibit unauthorized entry.

9. Accredited poll watchers shall be allowed to observe the process described in this rule; however, they must do so in a manner that does not interfere with poll officials.

(b) Consolidation of Results.

1. All persons involved with the tabulation and consolidation of the election results and who will operate the computer programs or handle the memory cards shall be sworn in the same manner that custodians are sworn before entering into their duties.

2. Only persons who are permanent employees of the election superintendent or have been duly sworn as poll officers or custodians shall touch or be in contact with any ballot, container, returns, tapes, device, memory card, or any other such election materials. Only persons who are employed by the election superintendent or have been duly sworn shall be in the immediate area of the tabulating center designated by the superintendent for the officers to conduct the tabulation and consolidation of the election results.

3. The tabulation and consolidation shall be performed in public. However, the election superintendent may make reasonable rules and regulations for conduct at the tabulating center for the security of the results and the returns and to avoid interference with the tabulating center personnel.

4. The election superintendent shall ensure all properly cast ballots that are received by the deadline to receive ballots are processed, verified, and tabulated as soon as possible and shall not cease such count and tabulation until all such ballots are counted and tabulated. However, counting may cease prior to tabulating provisional ballots that are cured by the prescribed deadline and validated pursuant to O.C.G.A. § [21-2-419](#), so long as those ballots are processed, verified, and tabulated as soon as possible. Counting may also cease prior to tabulating ballots from qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, [52 U.S.C. Section 20301](#), et seq. ("UOCAVA"), that are received after the deadline to receive non-UOCAVA ballots but before the deadline for UOCAVA ballots set forth in O.C.G.A. § [21-2-386\(a\)\(1\)\(G\)](#) so long as those ballots are processed, verified, and tabulated as soon as possible following their timely receipt.

a. For the purposes of this rule, "shall not cease" allows for reasonable or limited breaks so long as the processing, counting, and tabulating of ballots resumes as soon as possible. If the election superintendent, in its reasonable discretion, determines that due to mechanical or technological failures, emergency circumstances, or other circumstances that do not allow the processing, counting, and tabulating of ballots to continue reliably and



accurately, the election superintendent shall report as soon as possible in writing to the Secretary of State in the manner prescribed by the Secretary of State the reason the processing, counting, and tabulating of ballots cannot continue reliably and accurately and the estimated time that the processing, counting, and tabulating ballots will resume.

5. Upon the delivery of any election materials from a polling place, the election superintendent or his or her designee shall provide a receipt that clearly states what election materials have been delivered.

6. Upon receiving the paper ballots and the memory cards, the election superintendent shall verify the signatures on the sealed envelopes and containers, verify that the seals are intact, that the envelopes or containers have not been opened, and that there is no evidence of tampering with the envelopes, containers, or their contents.

7. In the case of elections for county, state, and federal office, after verifying that the envelopes and containers are properly sealed and have not been opened or tampered with, the election superintendent shall break the seal and open each envelope and remove the memory card and results tape. The election superintendent or his or her designee shall then insert the memory card into the election management system computer and transfer the vote totals from the memory card into the election management system for official tabulation and consolidation.

8. After transferring all of the vote totals from the memory cards to the election management system and consolidating such totals with the totals from the absentee ballot system and such votes from any provisional ballots which have been found by the registrars to be authorized pursuant to O.C.G.A. § [21-2-419](#), the election superintendent shall prepare the official consolidated returns for the primary, election, or runoff.

9. The election superintendent shall not list and certify in the official consolidated returns for an election any results for write in candidates who were not properly qualified under O.C.G.A. § [21-2-133](#).

10. In the case of primaries, elections, and runoffs for county, state, and federal office, the county election superintendent shall transmit to the Secretary of State the election returns by precinct for the county in electronic format or by electronic means, as may be specified by the Secretary of State, within fourteen days following a primary, election, or runoff.

(c) Publicly Posting Total Number of Ballots Cast After Close of Polls.

1. For the purposes of publicly posting the number of ballots cast, including the total number of ballots scanned into the ballot scanner, the total number of provisional ballots issued at the precinct, and the total number of any cast but unscanned ballots in a scanner emergency bin, as soon as possible after the close of polls and the number of absentee ballots received as soon as possible following the deadline to receive such absentee ballots as required by O.C.G.A. § 21-2-421(a), posting information in a prominent public place means:

a. If the county or municipality maintains a publicly accessible website, publishing information on the homepage of the county's publicly accessible website associated with elections and/or registrations.

b. If the county or municipality does not maintain a publicly accessible website, affixing information on the door of the county or municipality's election office such that the information is viewable to the public.

c. At the same time that such information is publicly posted, it shall be transmitted to the Secretary of State in a manner determined by the Secretary of State.

(d) Election Night Reporting. The election superintendent shall transmit to the Secretary of State unofficial election results for all races for state offices in any primary, election, or runoff as soon as possible after the closing of the polls for such primary, election, or runoff. Such results shall be transmitted in a format prescribed by the Secretary of State. At a minimum, the results shall be transmitted upon one third of the precincts reporting results, upon two thirds of the precincts reporting results, and upon all precincts reporting results, including absentee ballots within all precincts. Except upon prior notice to and consultation with the Secretary of State, no election superintendent shall conclude the tabulation of votes on election night in any primary, election, or runoff in which there are contested

rices for federal and state offices until and unless all such unofficial results, including absentee ballots, have been transmitted to the Secretary of State.

(e) Reconciliation Report

1. As soon as possible but no later than 30 days following the certification of election results, the election superintendent shall transmit to the Secretary of State a reconciliation report that reconciles the aggregate total of all ballots cast in each precinct as reported in the precinct-level election results to the aggregate number of voters who received credit for voting in each precinct on the form made available by the Secretary of State. Any discrepancies in the aggregate total of ballots cast in each precinct compared to the aggregate number of voters who received credit for voting in a precinct shall be fully investigated by the election superintendent or designee. The explanation for any discrepancy shall be included in the Reconciliation Report.

**Cite as** GA Regs. 183-1-12-.12

**AUTHORITY:** O.C.G.A. §§ [21-2-31](#), [21-2-94](#), [21-2-95](#), [21-2-420](#), [21-2-421](#).

**HISTORY:** Original Rule entitled "Tabulating Results" adopted. F. Jan. 23, 2020; eff. Feb. 12, 2020.

**Amended:** F. Mar. 2, 2020; eff. Mar. 22, 2020.

**Amended:** F. Sep. 22, 2021; eff. Oct. 12, 2021.

**Amended:** F. Nov. 1, 2021; eff. Nov. 21, 2021.

### **183-1-12-.13 [Effective 11/21/2021] Storage of Returns**

(a) After tabulating and consolidating the results, the election superintendent shall prepare an electronic file which shall contain a copy of the information contained on each memory card which shall include all ballot images as well as vote totals and a copy of the consolidated returns from the election management system.

(1) As provided by O.C.G.A. § [50-18-71](#), ballot images are subject to public disclosure. The election superintendent shall retain copies of all ballot images prior to depositing election materials to the clerk of superior court or the municipal clerk, as appropriate, in accordance with O.C.G.A. § [21-2-500](#) to ensure the election superintendent's ability to provide public access to ballot images.

(2) The election superintendent or designee shall not use any media (e.g., flash drive, compact disk) provided by a requestor to produce ballot images. The election superintendent or designee may charge the requestor the actual cost of the media pursuant to O.C.G.A. § [50-18-71\(c\)\(2\)](#).

(b) The electronic file shall be stored on a secure medium which shall be placed in a sealed envelope or container and shall become a part of the election materials which shall be deposited with the clerk of superior court or the municipal clerk, as appropriate, in accordance with O.C.G.A. § [21-2-500](#). In addition, the signed results tape from each ballot scanner and the corresponding paper ballots shall also be deposited with the clerk of superior court.

(c) The memory cards shall be sealed in an appropriate container and securely maintained by the election superintendent until the period for requesting a recount of the primary, election, or run off results has expired. The election superintendent and at least one other sworn individual in the tabulating center shall seal the container and sign the seal such that the container cannot be opened without destroying or damaging the seal. Upon the expiration of the period for requesting a recount, the election superintendent may use the memory cards for programming ballot scanners units for the next primary, election, or runoff.

**Cite as** GA Regs. 183-1-12-.13

**AUTHORITY:** O.C.G.A. §§ [21-2-31](#), [21-2-500](#), [50-18-71](#).

**HISTORY:** Original Rule entitled "Storage of Returns" adopted. F. Jan. 23, 2020; eff. Feb. 12, 2020.

**Amended:** F. Sep. 22, 2021; eff. Oct. 12, 2021.

**Amended:** F. Nov. 1, 2021; eff. Nov. 21, 2021.

### **183-1-12-.18 [Effective 11/21/2021] Provisional Ballots**

(1) This rule shall govern the casting of provisional ballots by voters at primaries and elections in accordance with O.C.G.A. §§ [21-2-418](#) and [21-2-419](#).

(2) In each polling place, there shall be established a location or station in the public area of the polling place for the purpose of issuing and receiving provisional ballots. Each polling place shall have an information sheet developed by the Secretary of State available for voters who have questions about the provisional ballot process. The information sheet should describe relevant law regarding provisional ballots for voters who do not show up on the electors list for that polling place.

(3) The election superintendent shall provide each polling place with an adequate supply of provisional ballots in each ballot style (district combination) for the precinct and an inner ballot envelope and an outer ballot envelope. The election superintendent shall also be prepared to resupply polling places with provisional ballots in needed ballot styles in a timely manner while voting is occurring so that polling places do not run out of provisional ballots. The ballot envelopes shall be so designed that the ballot will fit within the inner ballot envelope and the inner ballot envelope will fit within the outer ballot envelope. The inner ballot envelope shall have printed on it the words "Official Provisional Ballot" and nothing else. The outer envelope shall have places for inserting the person's name, precinct, date and name of election, ballot style (district combination), and whether such ballot is a regular provisional ballot, a provisional ballot cast by a voter who registered to vote for the first time in this state by mail and has not provided the identification required by O.C.G.A. §§ [21-2-220](#) and [21-2-417](#), or a ballot cast during poll hours extended by a court order, or a combination thereof. Primaries and elections conducted by counties shall use optical scan ballots for provisional voting. The poll manager shall cause all voted provisional ballots to be deposited into the provisional ballot box and not be inserted into the polling place ballot scanner and kept separate and apart from non-provisional ballots cast at the polling place. Municipalities shall use the same type of ballots as the municipality uses for mail-in absentee voting. The election superintendent shall also provide a booth for voting provisional ballots in the enclosed space which will provide privacy for a person while voting a provisional ballot and a secure container in which the voted provisional ballots shall be placed.

(4) Voters whose names do not appear on electors list.

(a) When a person arrives at a polling place, completes a voter certificate, and presents it to the poll workers but the person's name does not appear on the official electors list for the precinct, the poll officers shall immediately direct the person to the provisional ballot station. The polling place shall have an electronic poll book that includes a master list of registered voters in the state, and the poll workers shall check the list to determine if the person is assigned to a different polling place within the county or registered in a different county. If the person's name appears on the master list for a different precinct within the same county, the poll workers shall inform the person of his or her correct polling place. If the person states a good-faith belief that he or she timely registered to vote in the precinct in which he or she is present, he or she shall be offered a provisional ballot. The poll officials shall also inform such person that any votes cast by a provisional ballot in the wrong precinct will only be counted if it is cast after 5:00 P.M. and before the regular time for the closing of the polls on the day of the primary, election, or runoff and if the person executes a sworn statement, witnessed by the poll official, stating that he or she is unable to vote at his or her correct polling place prior to the closing of the polls and giving the reason therefor. For the purposes of this rule, any otherwise eligible vote cast by an elector who is in line by the regular time of the closing of the polls shall be deemed as having been cast before the regular time of the closing of the polls. If the person is registered in a different county, the poll officer shall inform the person that he or she appears to be registered in a different county. If the person is still eligible to vote in the county in which they appear to be registered, the person may return to that county to vote. If the person states a good-faith belief that he or she timely registered to vote in the county in which he or she is present, he or she shall be offered a provisional ballot.

(b) If the person's name is not found on the official list of electors for the precinct or the master list, the poll officers shall immediately contact the registrars and the person shall provide such information as the registrars may request to determine if the person is eligible to vote in the election. The registrars shall promptly review the information provided by the person and shall attempt to determine if the person timely and properly registered to vote in the county in which he or she is present.

(c) If the registrars can immediately determine that the person timely and validly registered to vote in the primary or election and should be assigned to the precinct at which the person is present, the registrars shall authorize the poll officers to add the person's name to the official electors list for the precinct and shall permit the person to vote in the same manner as other voters in the precinct vote. When there are multiple ballot styles (district combinations) in use in the precinct, the registrars shall also advise the poll officers which ballot style (district combination) should be issued to the person. The person's name shall then be added to the official electors list for the precinct with a notation of the name of the registrar who authorized such addition. Upon presentation of a properly completed voter certificate and the identification required by O.C.G.A. § [21-2-417](#), the person shall be permitted to vote in the same manner as other voters in the precinct.

(d) If the registrars can immediately determine that the person timely and validly registered to vote in the primary or election but should be assigned to a different precinct within the same county where the person is present, the registrars shall direct the poll officers to inform the person of the appropriate other precinct and the registrars shall notify the officers of such other precinct to add the person's name to the official electors list for such other precinct. The poll officials shall also inform such person that any votes cast by a provisional ballot in the wrong precinct will only be counted if it is cast after 5:00 P.M. and before the regular time for the closing of the polls on the day of the primary, election, or runoff and if the person executes a sworn statement, witnessed by the poll official, stating that he or she is unable to vote at his or her correct polling place prior to the closing of the polls and giving the reason therefor. For the purposes of this rule, any otherwise eligible vote cast by an elector who is in line by the regular time of the closing of the polls shall be deemed as having been cast before the regular time of the closing of the polls. Upon the completion of a voter certificate and the submission of the identification required by O.C.G.A. § [21-2-417](#), the person shall be permitted to vote in their assigned precinct in the same manner as other persons in such other precinct.

i. In such cases, all votes cast by such person for candidates for whom such person is properly entitled to vote shall be counted and all votes cast for candidates for whom such person is not properly entitled to vote shall be void and shall not be counted in accordance with O.C.G.A. § [21-2-419\(c\)](#). When there are multiple ballot styles (district combinations) in use in such other precinct, the registrars shall also advise the poll officers at such other precinct which ballot style (district combination) should be issued to the person. The person's name shall then be added to the official electors list for the other precinct by the poll officers of the other precinct with a notation of the name of the registrar who authorized such addition.

(e) If the registrars cannot immediately determine that the person timely and validly registered to vote in the primary or election; but, from the information presented by the person, the person, if properly registered, would be assigned to the precinct at which the person is present, the registrars shall inform the poll officers and the person shall be offered a provisional ballot at such precinct. When there are multiple ballot styles (district combinations) in use in the precinct, the registrars shall also advise the poll officers which ballot style (district combination) should be issued to the person.

(f) If the registrars cannot immediately determine that the person timely and validly registered to vote in the primary or election; but, from the information presented by the person, the person, if registered, would be assigned to a different precinct from the precinct in the county at which the person is present, the registrars shall direct the poll officers to inform the person of the appropriate precinct. The poll officials shall also inform such person that any votes cast by a provisional ballot in the wrong precinct will only be counted if it is cast after 5:00 P.M. and before the regular time for the closing of the polls on the day of the primary, election, or runoff and if the person executes a sworn statement, witnessed by the poll official, stating that he or she is unable to vote at his or her correct polling place prior to the closing of the polls and giving the reason therefor. For the purposes of this rule, any otherwise eligible vote cast by an elector who is in line by the regular time of the closing of the polls shall be deemed as having been cast before the regular time of the closing of the polls.

i. The registrars shall notify the officers of such other precinct to permit the person to vote a provisional ballot when such person arrives at such precinct, completes an official voter registration form and a provisional ballot voter certificate, and submits the appropriate identification required by O.C.G.A. § [21-2-417](#). When there are multiple ballot styles (district combinations) in use in such other precinct, the registrars shall also advise the poll officers which ballot style (district combination) should be issued to the person.

ii. In such case, all votes cast by such person for candidates for whom such person is properly entitled to vote shall be counted and all votes cast for candidates for whom such person is not properly entitled to vote shall be void and shall not be counted in accordance with O.C.G.A. § [21-2-419\(c\)](#).

(g) If the person appears at a precinct in a county or municipality in which the person does not reside, the registrars shall instruct the poll officers to direct the person to contact the registrars in the county in which the person resides to determine in which precinct such person should vote.

(h) If the poll officers cannot get in touch with the registrars after making a reasonable effort to do so, the poll officers shall be authorized to permit the person to receive a provisional ballot at the precinct without additional authorization from the registrars, but if from the information presented by the person, the person, if registered, would be assigned to a different precinct from the precinct in the county at which the person is present, the registrars shall direct the poll officers to inform the person of the appropriate precinct. The poll officials shall also inform such person that any votes cast by a provisional ballot in the wrong precinct will only be counted if it is cast after 5:00 P.M. and before the regular time for the closing of the polls on the day of the primary, election, or runoff and if the person executes a sworn statement, witnessed by the poll official, stating that he or she is unable to vote at his or her correct polling place prior to the closing of the polls and giving the reason therefor. For the purposes of this rule, any otherwise eligible vote cast by an elector who is in line by the regular time of the closing of the polls shall be deemed as having been cast before the regular time of the closing of the polls. In such case, all votes cast by such person for candidates for whom such person is properly entitled to vote shall be counted and all votes cast for candidates for whom such person is not properly entitled to vote shall be void and shall not be counted in accordance with O.C.G.A. § [21-2-419\(c\)](#).

(i) Upon accepting the opportunity to receive a provisional ballot, the person shall complete a provisional ballot voter certificate and an official voter registration form and submit such completed certificate and form to the poll officers along with the appropriate identification required by O.C.G.A. § [21-2-417](#). The poll officers shall place the name of the person on the numbered list of provisional ballot voters and issue the person a provisional ballot of the style authorized by the registrars along with an inner ballot envelope and an outer ballot envelope. Before issuing the outer ballot envelope to the person, the poll officers shall enter the person's name, the name of the precinct, the date and name of the election, and the ballot style (district combination) on the outer envelope. The person shall then retire to the provisional ballot voting booth and mark the ballot with his or her intended selections. Upon completing the ballot, the person shall seal the ballot in the inner ballot envelope and place the inner ballot envelope containing the ballot into the outer ballot envelope and shall seal the outer ballot envelope. The person shall then return the sealed envelope to the poll officers.

(j) Upon receiving the sealed ballot envelope from a person casting a provisional ballot, the poll officers shall verify that the information requested on the outer ballot envelope is complete, shall mark the appropriate box or boxes to designate the type of provisional ballot enclosed therein, and shall direct the person to place the ballot envelope into the secure container for provisional ballots which shall be located within the enclosed space in the polling place where it can be monitored by the poll officers and observed by the public. The provisional ballot voter certificate and voter registration form shall be attached together and shall be placed in a separate, distinctively marked envelope or reusable document container which shall be placed in a secure location in the polling place.

(5) Voter who registered for first time by mail but did not provide required identification.

(a) When a person arrives at a polling place, completes a voter certificate, and presents it to the poll workers but does not have the identification required by O.C.G.A. § [21-2-417](#) and the person's name appears on the official electors list for the precinct with a designation that the person registered to vote for the first time in this state by mail but has not provided the required identification to the registrars as required by O.C.G.A. § [21-2-220](#), the poll officers shall immediately direct the person to the provisional ballot station. At the provisional ballot station, the person shall

be permitted to cast a provisional ballot at such precinct. When there are multiple ballot styles (district combinations) in use in the precinct, the poll officers shall issue the appropriate ballot style (district combination) to the person as shown on the electors list. The poll officers shall place the name of the person on the numbered list of provisional ballot voters and issue the person a provisional ballot of the style authorized by the registrars along with an inner ballot envelope and an outer ballot envelope. Before issuing the outer ballot envelope to the person, the poll officers shall enter the person's name, the name of the precinct, the date and name of the election, and the ballot style (district combination) on the outer envelope. The person shall then retire to the provisional ballot voting booth and mark the ballot with his or her intended selections. Upon completing the ballot, the person shall seal the ballot in the inner ballot envelope and place the inner ballot envelope containing the ballot into the outer ballot envelope and shall seal the outer ballot envelope. The person shall then return the sealed envelope to the poll officers.

(b) Upon receiving the sealed ballot envelope from a person completing a provisional ballot, the poll officers shall verify that the information requested on the outer ballot envelope is complete, shall mark the appropriate box or boxes to designate the type of provisional ballot enclosed therein, and shall direct the person to place the ballot envelope into the secure container for provisional ballots which shall be located within the enclosed space in the polling place where it can be monitored by the poll officers and observed by the public.

(c) The provisional ballot shall not be counted unless the voter provides the identification required by O.C.G.A. § [21-2-220](#) and [21-2-417](#) to the registrars before the end of the period set by law for the verification of provisional ballots. Such identification may be provided to the registrars in person, by email, by facsimile transmission or, in the case of disabled voters, by delivery by a third party.

(6) Voters voting during extended polling hours in an election in which federal candidates are on the ballot.

(a) In the event that the polling hours for a polling place are extended by a court order beyond the normal closing time for a primary, election, or runoff in which federal candidates are on the ballot, all voters who vote after the normal closing time for the polling place shall vote by provisional ballot.

(b) Voters whose names appear on the electors list and who have the appropriate identification required by O.C.G.A. § [21-2-417](#) shall complete a provisional voter certificate and shall be issued a provisional ballot along with an inner ballot envelope and an outer ballot envelope. Such voters shall not be required to complete a voter registration form. It also shall not be necessary to obtain approval from the registrars to issue provisional ballots to such voters. The poll officers shall place the name of the person on the numbered list of provisional ballot voters. Before issuing the outer ballot envelope to the person, the poll officers shall enter the person's name, the name of the precinct, the date and name of the election, and the ballot style (district combination) on the outer envelope. The person shall then retire to a provisional ballot voting booth and mark the ballot with his or her intended selections. Upon completing the ballot, the person shall seal the ballot in the inner ballot envelope and place the inner ballot envelope containing the ballot into the outer ballot envelope and shall seal the outer ballot envelope. The person shall then return the sealed envelope to the poll officers. Upon receiving the sealed ballot envelope from a person completing a provisional ballot, the poll officers shall verify that the information requested on the outer ballot envelope is complete, shall mark the appropriate box to designate that the ballot is an extended poll hours provisional ballot, and shall direct the person to place the ballot envelope into the secure container for provisional ballots which shall be located within the enclosed space in the polling place where it can be monitored by the poll officers and observed by the public.

(c) If the voter's name is not on the electors list, the poll workers shall follow the provisions of this rule for regular provisional balloting under this rule and, if the voter is authorized by the registrars to vote a provisional ballot under the terms of this rule, shall also mark the appropriate box on the outer ballot envelope to indicate that the ballot was issued during extended poll hours.

(d) If the voter's name is on the electors list but registered to vote for the first time in this state by mail and has not provided the identification required by O.C.G.A. § [21-2-220](#), the poll officers shall permit the voter to vote in accordance with the provisions of this rule for first time voters who register for the first time in this state by mail without providing the required identification, and shall also mark the appropriate box on the outer ballot envelope to indicate that the ballot was issued during extended poll hours.



(e) The poll officers shall provide each first time voter who registered for the first time in this state by mail without providing the required identification who casts a provisional ballot information on how the voter may provide the registrars with the appropriate identification in order that the voter's ballot may be counted.

(7) Each voter casting a provisional ballot in a primary, election, or runoff in which federal candidates appear on the ballot shall be given written information explaining how such voter can ascertain if such ballot is counted and, if such ballot is not counted, the reason why such ballot was not counted.

(8) The provisional ballot voter certificates and voter registration cards may be picked up during the day by a registrar or deputy registrar for the purpose of beginning the process of determining the eligibility of the persons to cast provisional ballots. Before transferring the voter certificates and registration cards to the registrars during the day, the poll officers shall note the number of certificates and cards being transferred to the registrars. If such voter certificates and registration cards are not picked up by the registrars by the time that the polls close and the last voter has voted, the envelope in which the provisional ballot voter certificates and voter registration cards have been deposited shall be securely sealed and shall be returned to the election superintendent with the other materials from the polling place.

(9) After the close of the polls and the last voter has voted, the poll officers shall account for all voted provisional ballots, cancelled and spoiled provisional ballots, and unused provisional ballots. The ballot stubs and unused and spoiled ballots shall then be securely sealed in the container provided for them by the election superintendent. The poll officer, along with two other witnesses sworn as poll officers, shall then proceed to open the secure container in which the provisional ballots were deposited and count the number of voted provisional ballots contained therein. The poll officer and witnesses shall then compare the total number of persons voting provisional ballots as shown on the numbered list of provisional ballot voters with the number of ballots issued and the number of ballots voted. If these numbers do not equal one another, the poll officers shall determine the reason for the inconsistency and shall correct the problem before going further. The poll officer and witnesses shall seal the voted provisional ballots in a container for transfer to the election superintendent. The poll officers shall complete and sign a provisional ballot recap sheet and post one copy of the recap sheet on the door of the polling place with the election results from the precinct. The remaining copies of the provisional ballot recap sheet along with the numbered list of provisional ballot voters shall be returned to the election superintendent with the other election materials from the precinct.

(10) Upon receiving the election materials from the precincts, the election superintendent shall cause the envelope containing the provisional ballot voter certificates and voter registration cards to be promptly removed from the other materials and, if applicable, transferred to the registrars for processing. If applicable, the voter certificates and registration cards shall be transferred to the registrars no later than 9:00 a.m. on the day following the day of the primary, election, or runoff. The election superintendent shall also remove the container containing the voted provisional ballots and shall place such container in a secure location within the election superintendent's office.

(11) Upon receiving the provisional ballot voter certificates and voter registration cards from the election superintendent, the registrars shall promptly proceed to determine the eligibility of each person that voted a provisional ballot.

(a) If the registrars determine that the person did timely register and is eligible and entitled to vote in such primary, election, or runoff, the registrars shall mark on the numbered list of provisional ballot voters that the ballot is accepted and shall notify the election superintendent of the proper ballot style (district combination) for the voter.

(b) If the registrars determine that the person did not timely register to vote for the primary or election or is not eligible and entitled to vote in such primary or election or if the registrars cannot determine by the close of business on the third business day following the day of the primary, election, or runoff if the voter timely registered and was eligible and entitled to vote in such primary or election, the registrars shall mark on the numbered list of provisional ballot voters that the ballot is rejected.

(c) Not later than the close of business on the third business day following the day of the primary, election, or runoff, the registrars shall return to the election superintendent the numbered list of provisional ballot voters reflecting the accepted and rejected provisional ballots.

(d) The names of those persons whose names are accepted shall be added to the official electors list. The voter registration cards of those persons whose ballots are rejected on the numbered list of provisional ballot voters shall be processed by the registrars and, if found to be eligible and qualified, shall be added to the electors list for future elections.

(e) The registrars shall maintain the provisional ballot voter certificates for the same period of time and under the same conditions as the regular voter certificates. Voter registration cards completed by provisional ballot electors shall be maintained for the same period of time and under the same conditions as other voter registration cards.

(12) Upon receiving the numbered list of provisional ballot electors from the registrars, the election superintendent shall prepare to count the accepted provisional ballots. The election superintendent shall first compare the precinct designation and election district information with the style of ballot (district combination) cast by the provisional ballot voter.

(a) If the ballot style (district combination) voted by the voter was correct, then the election superintendent shall open the outer envelope and place the inner envelope containing the ballot into a ballot box.

(b) If the ballot style (district combination) voted by the voter was not correct, then the election superintendent shall open the outer envelope and note the correct ballot style (district combination) on the inner envelope. Each such inner envelope shall then be placed in a separate container until all of the outer envelopes have been opened. The outer envelopes shall then be stored in a location away from the inner envelopes in a manner such that the inner envelope and ballot of a voter cannot be identified as being the ballot of a particular voter. The superintendent shall then open each such inner envelope and remove the ballot and shall place a unique identifying number on the ballot along with the designation of the precinct at the top of the ballot. The election superintendent shall then prepare or cause to be prepared a duplicate ballot. The duplicate ballot shall be clearly labeled with the word "Duplicate" and shall bear the name of the precinct and the same unique identifying number as the original ballot at the top of the ballot. The election superintendent shall transfer or cause to be transferred to the duplicate ballot, in the presence of at least two other consolidation assistants and in public, only the votes cast by the provisional ballot voter in the races and on the questions to which such voter was eligible and entitled to vote. The votes entered on the duplicate ballot shall be verified by at least one consolidation assistant. The completed duplicate ballot shall be placed in the ballot box with the other provisional ballots to be counted. The original ballot shall be placed into an appropriate container and retained.

(c) After opening all of the outer envelopes and making all necessary duplicate ballots, the election superintendent shall then open the inner envelopes of the ballots in the ballot box and proceed to count the votes in the same manner as absentee ballots are counted. Upon completing the count, the election superintendent shall add the provisional ballot votes to the other votes cast at the polls and by absentee ballot and shall consolidate and certify the results of the primary, election, or runoff. The provisional ballots and any duplicates shall be retained for the same time period and in the same manner as absentee ballots.

(d) The rejected provisional ballots shall be marked on the outer envelope as "Not Counted" and shall not be opened. The ballots shall be maintained for the same time period and in the same manner as absentee ballots which were returned too late to be counted.

(e) The election superintendent shall notify the registrars of the names of those persons who cast a provisional ballot in the wrong precinct or on an incorrect ballot style (district combination).

(13) Upon identifying the rejected provisional ballot electors, the registrars shall proceed at the earliest possible time to notify each such person by first-class mail at the address shown on the provisional ballot voter certificate that his or her ballot was not counted because of the inability of the registrars to verify that the person timely registered to vote or such other proper reason. The registrars shall also attempt to notify the person by telephone or email if the provisional ballot voter certificate contains an email address or telephone number. If the person's voter registration card was approved, the registrars shall also notify the person that his or her name will be added to the elector's list and the person will be eligible to vote in future primaries and elections and that a voter notification or precinct card will be mailed to the person to provide the voter with the correct precinct and election district information.



(a) Upon receiving notification from the election superintendent of the names of persons who cast provisional ballots in the incorrect precinct or on the incorrect ballot style (district combination), the registrars shall notify such persons of their correct precinct and/or election district information. The sending of a voter notification or precinct card by first-class mail to the address shown on the voter registration card completed by such person when voting by provisional ballot shall be sufficient notice for such voters.

(b) If the person's voter registration is rejected, the registrars shall notify the person of such rejection in accordance with O.C.G.A. § [21-2-226\(d\)](#).

(c) In addition, the registrars shall establish a free access system, such as a toll-free telephone number or an Internet website, by which voters who cast provisional ballots in a primary, election, or runoff in which federal candidates are on the ballot may ascertain whether their ballots were counted or, if the ballots were not counted, the reasons why such ballots were not counted. The registrars shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by such system. Access to information about an individual provisional ballot shall be restricted to the voter who cast such ballot.

**Cite as** GA Regs. 183-1-12-.18

**AUTHORITY:** O.C.G.A. §§ [21-2-31](#), [21-2-226](#), [21-2-417](#), [21-2-418](#), [21-2-419](#).

**HISTORY:** Original Rule entitled "Provisional Ballots" adopted. F. Jan. 23, 2020; eff. Feb. 12, 2020.

**Note:** Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § Note: Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § 21-2-417. the person."; "... by O.C.G.A. § 21-2-220. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § 21-2-220. the poll officers.", respectively, as requested by the Agency for original rule filed on Jan. 23, 2020.. the person."; "... by O.C.G.A. § Note: Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § 21-2-417. the person."; "... by O.C.G.A. § 21-2-220. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § 21-2-220. the poll officers.", respectively, as requested by the Agency for original rule filed on Jan. 23, 2020.. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § Note: Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § 21-2-417. the person."; "... by O.C.G.A. § 21-2-220. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § 21-2-220. the poll officers.", respectively, as requested by the Agency for original rule filed on Jan. 23, 2020.. the poll officers.", respectively, as requested by the Agency for original rule filed on Jan. 23, 2020. Effective February 12, 2020.

**Amended:** F. Mar. 2, 2020; eff. Mar. 22, 2020.

**Note:** Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § Note: Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § 21-2-417. the person."; "... by O.C.G.A. § 21-2-220. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § 21-2-220. the poll officers.", respectively, as requested by the Agency for amendment filed on Mar. 2, 2020.. the person."; "... by O.C.G.A. § Note: Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § 21-2-417. the person."; "... by O.C.G.A. § 21-2-220. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § 21-2-220. the poll officers.", respectively, as requested by the Agency for amendment filed on Mar. 2, 2020.. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § Note: Correction of non-substantive typographical errors in subparagraphs (4)(d), (5)(a) (sentences one and five) and (6)(d), period corrected to comma in "... by O.C.G.A. § 21-2-417. the person."; "... by O.C.G.A. § 21-2-220. the poll officers."; "... to the person. the poll officers."; "... by O.C.G.A. § 21-2-220. the poll officers.", respectively, as requested by the Agency for amendment filed on Mar. 2, 2020.. the poll officers.", respectively, as requested by the Agency for amendment filed on Mar. 2, 2020. Effective March 22, 2020.

**Amended:** F. May 1, 2020; eff. May 21, 2020.

**Amended:** F. Sep. 22, 2021; eff. Oct. 12, 2021.

**Amended:** F. Nov. 1, 2021; eff. Nov. 21, 2021.

# **Department 183. RULES OF STATE ELECTION BOARD**

## **Chapter 183-1. GEORGIA ELECTION CODE**

### **Subject 183-1-14. ABSENTEE VOTING**

#### **183-1-14-.12 [Effective until 11/21/2021] Eligibility of Application for Absentee Ballot**

(1) The application for an absentee ballot shall be in writing on the form made available by the Secretary of State and shall contain sufficient information for proper identification of the elector. To be deemed sufficient, an application for an absentee ballot must contain the elector's name, date of birth, address as registered, address where elector wishes the ballot to be mailed, the number of his or her driver's license or identification card issued pursuant to Article 5 of chapter 5 of Title 40 or other allowable identification, and the signature of the applicant.

(2) In the case of the elector making such application for an absentee ballot, the application shall contain the signature of such elector.

(3) In the case of a relative making an application on behalf of an elector pursuant to O.C.G.A. § [21-2-381\(a\)\(1\)\(B\)](#), the application shall contain the signature of the elector's relative as well as the relationship of the relative to the elector.

(4) Web-based tools or applications that allow people who are otherwise eligible to request absentee ballots in Georgia (i.e., voters or eligible family members) by entering personal information into the web-based tool or application by the voter or eligible family member to partially complete an absentee ballot application are permitted. However, confidential voter information entered into these web-based tools or applications shall not be stored, sold, distributed by any entity or person, nor used for any commercial purposes. If a person gives express written consent, non-confidential voter information may be securely stored by the entity or person but shall not be sold or used by any entity or person for any commercial purposes.

(a) For the purposes of this rule, "confidential voter information" means any field contained in the absentee ballot application that is not made available for public inspection pursuant to applicable law, including but not limited to O.C.G.A. § [21-2-225](#), including, but not limited to, (1) the driver's license or state identification card number and (2) the voter's month and day of birth.

(5) Any application for an absentee ballot sent to any voter by any person or entity shall display the following disclaimer on the space provided on the application for such disclaimer:

"This is NOT an official government publication and was NOT provided to you by any government entity and this is NOT a ballot. It is being distributed by [insert name and address of person, organization, or other entity distributing such document or material]."

(a) The disclaimer required in section (a) of this rule shall be:

i. Sufficient font size to be clearly readable by the recipient of the communications.

1. A disclaimer in twelve (12)-point type satisfies the size requirement.

ii. Be contained in a printed box set apart from the other contents of the communications.

iii. Be printed with a reasonable degree of color contrast between the background and printed disclaimer.

1. A disclaimer satisfies the color contrast requirement if it is printed in white text on a black background or if the degree of contrast between the background color and the disclaimer text color is at least as great as the degree of contrast between the background color and the color of the largest text in the communication.

**Cite as** GA Regs. 183-1-14-.12

**AUTHORITY:** O.C.G.A. §§ [21-2-31](#), [21-2-381](#).

**HISTORY:** Original Rule entitled "Eligibility of Application for Absentee Ballot" adopted. F. Dec. 28, 2015; eff. Jan. 17, 2016.

**Amended:** F. Jan. 23, 2020; eff. Feb. 12, 2020.

**Amended:** F. Sep. 22, 2021; eff. Oct. 12, 2021.

**Note:** Correction of non-substantive typographical error in subparagraph (5)(a)(iii)1., period added at the end of sentence (i.e., after "communication"), as requested by the Agency. Effective November 10, 2021.

### **183-1-14-.12 [Effective 11/21/2021] Eligibility of Application for Absentee Ballot**

(1) The application for an absentee ballot shall be in writing on the form made available by the Secretary of State and shall contain sufficient information for proper identification of the elector. To be deemed sufficient, an application for an absentee ballot must contain the elector's name, date of birth, address as registered, address where elector wishes the ballot to be mailed, the number of his or her driver's license or identification card issued pursuant to Article 5 of chapter 5 of Title 40 or other allowable identification, and the signature of the applicant.

(a) In the case of the elector making such application for an absentee ballot, the application shall contain the signature of such elector.

(b) In the case of a relative making an application on behalf of an elector pursuant to O.C.G.A. § [21-2-381\(a\)\(1\)\(B\)](#), the application shall contain the signature of the elector's relative as well as the relationship of the relative to the elector.

(2) Web-based tools or applications that allow people who are otherwise eligible to request absentee ballots in Georgia (i.e., voters or eligible family members) by entering personal information into the web-based tool or application by the voter or eligible family member to partially complete the absentee ballot application described in section (1) of this rule are permitted. However, confidential voter information entered into these web-based tools or applications shall not be stored, sold, distributed by any entity or person, nor used for any commercial purposes. If a person gives express written consent, non-confidential voter information may be securely stored by the entity or person but shall not be sold or used by any entity or person for any commercial purposes.

(a) For the purposes of this rule, "confidential voter information" means any field contained in the absentee ballot application that is not made available for public inspection pursuant to applicable law, including but not limited to O.C.G.A. § [21-2-225](#), including, but not limited to, (1) the driver's license or state identification card number and (2) the voter's month and day of birth.

(3) Any application for an absentee ballot sent to any voter by any person or entity (except applications sent by the election superintendent or registrar at the request of the elector) shall display the following disclaimer on the space provided on the application for such disclaimer:

"This is NOT an official government publication and was NOT provided to you by any government entity and this is NOT a ballot. It is being distributed by [insert name and address of person, organization, or other entity distributing such document or material]."

(a) The disclaimer required in section (a) of this rule shall be:

- i. Sufficient font size to be clearly readable by the recipient of the communications.
- 1. A disclaimer in twelve (12)-point type satisfies the size requirement.
- ii. Be contained in a printed box set apart from the other contents of the communications.
- iii. Be printed with a reasonable degree of color contrast between the background and printed disclaimer.
- 1. A disclaimer satisfies the color contrast requirement if it is printed in white text on a black background or if the degree of contrast between the background color and the disclaimer text color is at least as great as the degree of contrast between the background color and the color of the largest text in the communication.

**Cite as** GA Regs. 183-1-14-.12

**AUTHORITY:** O.C.G.A. §§ [21-2-31](#), [21-2-381](#).

**HISTORY:** Original Rule entitled "Eligibility of Application for Absentee Ballot" adopted. F. Dec. 28, 2015; eff. Jan. 17, 2016.

**Amended:** F. Jan. 23, 2020; eff. Feb. 12, 2020.

**Amended:** F. Sep. 22, 2021; eff. Oct. 12, 2021.

**Note:** Correction of non-substantive typographical error in subparagraph (5)(a)(iii)1., period added at the end of sentence (i.e., after "communication"), as requested by the Agency. Effective November 10, 2021.

**Amended:** F. Nov. 1, 2021; eff. Nov. 21, 2021.

# **Department 478. RULES OF THE STATE PERSONNEL BOARD**

## **Chapter 478-1. RULES OF THE STATE PERSONNEL BOARD**

### **478-1-.16 Absence from Work**

#### **(1) Introduction:**

The State recognizes value in providing a reasonable amount of time off to assist employees with balancing work and personal needs. To be a responsible steward of public funds, however, the State must account for any pay provided to employees for time not worked. Paid time off must be charged to appropriate paid leave, accumulated compensatory time, paid holiday time, or suspension with pay.

This Rule defines the available types of paid and unpaid leave and the eligibility for each. It further provides a framework for leave, compensatory time, and holiday administration. Information about paid suspension is available in Rule [478-1-.15](#), Changes to Employment Status, and more detailed information about compensatory time can be found in statewide policy #7 - Rules, Regulations, and Procedures Governing Working Hours, the Payment of Overtime, and the Granting of Compensatory Time, jointly issued by the Governor's Office of Planning and Budget and the Department of Administrative Services.

#### **(2) Applicability:**

(a) The policies and procedures described in this Rule apply to all agencies of the Executive branch, excluding the Board of Regents of the University System of Georgia.

(b) In accordance with State law (O.C.G.A. § [45-20-32](#)), Section (18) of this Rule, Education Support Leave, is applicable to all branches and entities of State government.

#### **(3) Definitions:**

For the purposes of this Rule, the following terms and definitions apply in addition to those in Rule [478-1-.02](#), Terms and Definitions:

(a) "Administrative Leave" means paid time off for specified reasons defined in State law. This paid time off is not charged to accrued leave, and the duration is defined in applicable statute.

(b) "Immediate family" means the employee's spouse, child, parent, grandparent, grandchild, brother, and sister, including active step and in-law relationships. Immediate family also includes any other person who resides in the employee's household and is recognized by law as a dependent of the employee.

(c) "Seasonal activity" means work during periods of significantly increased demand, which are of a regular and recurring nature.

(d) "Workday" means a day an employee is regularly scheduled to work.

#### **(4) General Leave Administration Provisions:**

(a) Each agency should establish procedures for employees to request and receive approval for absence from work.

(b) Employees are expected to properly request and receive approval for absence from work. Failure to follow the employer's procedures may result in denial of the request and/or other employment action deemed appropriate by the agency, up to and including termination of employment.

(c) If a request for absence is denied, the employee is expected to work, as scheduled. Failure to do so might result in leave without pay and/or other employment action deemed appropriate by the agency, up to and including termination of employment.

(d) The agency may require an employee on leave with an uncertain end date to provide periodic reports during the leave regarding the employee's status and intent to return to work.

(e) An employee absent on official agency business is not considered to be on leave.

(f) An employee is expected to return to work as scheduled at the expiration of approved absence. If an extension is desired, the employee must request it in writing from her/his supervisor prior to the leave expiration or adhere to other agency procedures for timely requesting an extension.

(g) Failure to obtain approval for additional time off beyond the expiration of an approved absence may result in separation from employment or other employment action deemed appropriate by the agency.

(h) Each agency may, as a condition of return, require an employee who is absent from work because of illness or injury to supply an appropriate medical release or certification that the employee is able to return to work. The release or certification must explain the extent to which the employee is able to perform the essential functions of her/his position, with or without reasonable accommodation.

1. Each agency must comply with the requirements of the Americans with Disabilities Act, as amended, including providing reasonable accommodation to its qualified employees with disabilities.

2. A limitation exists for employees returning to work from using intermittent or reduced schedule Family and Medical Leave. An agency may require fitness-for-duty certification only if the agency reasonably believes the return could pose significant risk of harm to the employee or others. Such certification may be required no more often than every 30 calendar days.

3. If the medical certification does not release the employee to perform essential functions, and there is no available reasonable accommodation, as defined in the Americans with Disabilities Act, as amended, or if the employee fails to provide the required release, the agency may take the employment action it deems appropriate, up to and including termination of employment.

(i) Prior to engaging in other employment, including self-employment, while on leave employees must comply with the notice and other requirements set forth in Rule [478-1-.07](#), Outside Employment.

(j) Misrepresenting reasons for requesting or continuing an absence may result in disciplinary action, up to and including termination of employment.

(k) Exceptions to this Rule will occur if necessary to comply with applicable laws.

#### **(5) Types of Paid Leave:**

(a) The State's paid leave program offers a combination of accrued, personal, and administrative leave for eligible employees.

(b) The following employees are not eligible for any paid leave benefits:

1. All temporary employees except for those eligible to receive Paid Parental Leave under Section (26) of this Rule,

2. All hourly employees except for those eligible to receive Paid Parental Leave under Section (26) of this Rule, and

3. Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia (ERS) while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

Eligibility for other employees is defined in the applicable leave section within this Rule.

(b) Accrued Leave:

1. Accrued leave includes annual leave and sick leave. Both annual and sick leave are earned based on time in pay status and automatically accrue to eligible employees. (See Section (6) Annual Leave and Section (7) Sick Leave of this Rule).

2. Each agency, by written policy, may set a minimum period of annual and/or sick leave to be charged for any use which is only a fraction of that period. The minimum leave period cannot be greater than 15 minutes.

3. Dual Eligibility Relating to Leave Accrual:

(i) An employee who is simultaneously employed in two different agencies and is entitled to earn leave under each position s/he holds will independently accrue leave in accordance with each agency's policies.

(ii) If employment is terminated with one agency but not the other, all leave accruals will be combined and available in the remaining position, provided both agencies use the same leave accrual program. An exception applies when one of the agencies is a Community Service Board, County Board of Health, or Board of Health Community Operated Program. Leave accrued in these organizations cannot be transferred to an Executive Branch agency.

(iii) If the leave programs differ or if leave cannot otherwise transfer, the terminating agency will payout/divest the employee's leave as provided in the Annual, Sick, and Personal Leave sections of this Rule.

(d) Administrative Leave:

State law provides paid administrative leave to eligible employees for certain activities. Such leave is in addition to, and not charged against, an employee's accrued leave. Administrative leave is available for/during the following:

1. Absence Due to Emergency Office Closures (See Section (12) of this Rule.),
2. Blood Donation Leave (See Section (13) of this Rule.),
3. Bone Marrow Donation Leave (See Section (14) of this Rule.),
4. Organ Donation Leave (See Section (15) of this Rule.),
5. Court Leave (See Section (16) of this Rule.),
6. Employee Voting Leave (See Section (17) of this Rule.),
7. Education Support Leave (See Section (18) of this Rule.),
8. Disaster Volunteer Leave (See Section (19) of this Rule.),
9. Line-of-Duty Injury Leave, also known as Special Injury Leave (See Section (20) of this Rule.),
10. Leave for Contracting TB or infectious Hepatitis on the job (See Section (21) of this Rule.),
11. Military Leave (See Rule [478-1-.19](#), Military Leave.), and
12. Paid Parental Leave (See Section (26) of this Rule).

(e) Limitation on Concurrent Use of Paid Leave and Wage Substitutes:



An employee is not allowed to use any type of paid leave, except in special situations discussed in Section (20) of this Rule, for any time that the employee receives any form of State of Georgia-funded wage substitute, including but not limited to Workers' Compensation.

**(6) Annual Leave:**

**(a) Eligibility:**

1. Each agency provides paid annual leave for non-temporary salaried employees who are regularly scheduled to work 20 or more hours a week.
2. The Georgia Industries for the Blind provides paid annual leave for non-temporary manufacturing employees who are regularly scheduled to work 20 hours or more a week.
3. The following employees are not eligible to accrue annual leave:

(i) All temporary employees,

(ii) All hourly employees, and

(iii) Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

**(b) Accrual:**

1. The accrual process begins on the first date of employment. Annual leave is credited to eligible employees at the end of each pay period.
2. Annual leave accrues on a graduated scale based on an employee's length of continuous, unbroken State service in a position entitled to accrue leave under this Rule.
3. Full-time employees scheduled for at least 40 hours per workweek accrue annual leave at the following rates:

Complete Months of Continuous Service	Paid Semi-Monthly	Paid Monthly
0 through 60	5 hours per pay period	10 hours per pay period
60+ through 120	6 hours per pay period	12 hours per pay period
120+	7 hours per pay period	14 hours per pay period

(i) Employees paid semi-monthly must be in pay status for at least 40 hours during the pay period to accrue annual leave at the end of that pay period.

(ii) Employees paid on a monthly basis must be in pay status for at least 80 hours during the pay period to accrue annual leave at the end of that pay period. An agency that compensates employees on a monthly basis may choose to administer annual leave as if those employees were compensated on a semi-monthly basis.

4. Part-time employees scheduled to work at least 20 (but fewer than 40) hours per workweek accrue annual leave as outlined for full-time employees, but at a prorated rate.

(i) The prorated rate is determined by dividing the employee's standard weekly work hours by 40. For example, a part-time employee scheduled for 20 hours per workweek would accrue annual leave at 50% of the rate a full-time employee accrues annual leave ( $20 \text{ hours} \div 40 = .5$  or 50%). A new 20-hour employee would earn 2.5 hours of annual leave semi-monthly or 5 hours monthly.

(ii) The minimum periods of time in pay status required for annual leave accrual noted in Section (6)(b)3(i)-(ii), above, are similarly prorated for part-time employees. A 20-hour employee would need to be in pay status at least 20 hours during a semi-monthly pay period, or 40 hours during a monthly pay period, in order to accrue leave at the end of that pay period.

(c) Use and Limitations of Annual Leave:

1. Annual leave may be used for vacation or other personal reasons.
2. Employees may not take annual leave before it is actually earned.
3. An agency may by written policy require its employees to use compensatory time and/or deferred holiday time before using annual leave.
4. An agency may by written policy require its employees to use available sick leave before using annual leave when the absence involves medical reasons that would qualify for sick leave.
5. In scheduling annual leave, agencies should try to accommodate employee preferences. However, employees who request annual leave during busy periods or at times when coworkers have already requested leave might need to make alternate plans. Supervisors must weigh the agency's business needs and the timeliness of the requests in approving annual leave.

(d) Carryover and Forfeiture of Annual Leave:

1. An employee may accrue up to 360 hours of annual leave. Any leave balance in excess of 360 is forfeited at the end of each month.
2. Annual leave that is forfeited may be restored as sick leave by the agency if an employee exhausts all paid leave and compensatory time and must be absent because of a personal or immediate family medical condition. The restoration of leave is limited to:

- (i) The amount required by the circumstances of the medical condition; and
- (ii) The leave forfeited during the current period of employment. Forfeited leave accrued prior to a break in service cannot be restored except as outlined in Section (7)(h) of this Rule.

(e) Annual Leave Payout:

1. Employees are paid for their accrued and unused annual leave, which has not been forfeited, upon separation from State employment for at least one full workday for any reason.

(i) Annual leave payout is limited to a maximum of 360 hours.

(ii) Annual leave is not paid out when an employee transfers between State agencies with no break in service or when annual leave will otherwise transfer to the new employer. (See Section (10) of this Rule.)

2. To calculate annual leave payout for a full-time employee, the annual base pay last received by the employee is divided by 2,080 hours to determine the value of each hour of leave. (Annual base pay for a part-time employee must first be converted to the equivalent full-time salary for purposes of this calculation.) The hourly rate is then multiplied by the number of hours to be paid. Decimal fractions of an hour will be rounded to the next highest hundredth of an hour.

3. Once a separation date has been determined, the pay status of an employee cannot be extended for the purpose of granting a holiday or unanticipated non-workday occurring after the last day in pay status. Once an employee notifies the agency of the intent to terminate employment, the employee cannot be continued on the payroll on leave

with pay status for the purpose of increasing the current salary, the rate of leave accrual, or the rate at which accrued leave would be paid.

4. An employee who is taking an approved leave of absence without pay of 30 calendar days or more may request and receive an annual leave payout for all accrued annual leave excluding forfeited leave, up to a maximum of 360 hours. The lump sum payment will be calculated as outlined in (6)(e)2, above.

5. Upon transfer into a position that is not entitled to earn annual leave (i.e., temporary position, hourly position for which the employee is paid only for the time worked, or part-time position scheduled for fewer than 20 hours per week) an employee will be paid for accrued and unused annual leave, up to a maximum of 360 hours.

6. Each agency has discretion to determine whether it will pay out accrued annual leave for its active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia when they become ineligible for paid leave benefits upon reinstatement of retirement annuity payments at the beginning of each calendar year. If any agency chooses not to payout the accrued annual leave, the leave balance will remain credited to the rehired retiree who can then use the leave upon regaining eligibility for paid leave benefits.

**(7) Sick Leave:**

**(a) Eligibility:**

1. Each agency provides paid sick leave for non-temporary salaried employees who are regularly scheduled to work 20 or more hours a week.

2. The Georgia Industries for the Blind provides paid sick leave for non-temporary manufacturing employees who are regularly scheduled to work 20 or more hours a week.

3. The following employees are not eligible to accrue sick leave:

(i) All temporary employees,

(ii) All hourly employees, and

(iii) Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

**(b) Accrual:**

1. The accrual process begins on the first date of employment. Sick leave is credited to eligible employees at the end of each pay period.

2. Full-time employees paid on a semi-monthly basis will accrue five (5) hours of sick leave at the end of each pay period, provided the employee is in pay status for at least 40 hours during the pay period.

3. Full-time employees paid on a monthly basis will accrue 10 hours of sick leave at the end of each pay period, provided the employee is in pay status for at least 80 hours during the pay period. An agency that compensates employees on a monthly basis may choose to administer sick leave as if those employees were compensated on a semi-monthly basis.

4. Part-time employees scheduled to work at least 20 (but fewer than 40) hours per workweek accrue sick leave as outlined for full-time employees, but at a prorated rate.

(i) The prorated rate is determined by dividing the employee's standard weekly work hours by 40. For example, a part-time employee scheduled for 20 hours per workweek would accrue sick leave at 50% of the rate a full-time

employee accrues sick leave ( $20 \text{ hours} \div 40 = .5$  or 50%). A 20-hour employee would earn 2.5 hours of sick leave semi-monthly or five (5) hours monthly.

(ii) The minimum periods of time in pay status required for sick leave accrual noted in Section (7)(b)2-3, above, are similarly prorated for part-time employees. A 20-hour employee would need to be in pay status at least 20 hours during a semi-monthly pay period or 40 hours during a monthly pay period in order to accrue leave at the end of that pay period.

(c) Use and Limitations of Sick Leave:

1. Provided the employee adheres to the procedures for approval of leave, an employee may use accrued sick leave for any absence due to:

(i) Personal illness, injury, or disability;

(ii) Adoption of a child by the employee when the employee's presence is required for health-related reasons;

(iii) Dental or medical care;

(iv) Illness, injury, or disability in the employee's immediate family which requires the employee's presence; or,

(v) Death in the employee's immediate family which requires the employee's presence; however, sick leave used for this purpose shall be limited to five (5) workdays or the equivalent of a workweek.

2. Sick leave may also be used to allow an employee paid time off from work because s/he has been exposed to a contagious disease and may reasonably expose others and endanger their health by being present at work.

3. Employees may not use sick leave before it is actually earned.

4. An agency may by written policy require its employees to use compensatory time and/or deferred holiday time before using sick leave.

5. An employee may be required to furnish evidence to support the use of sick leave if the employee uses 17 or more hours of sick leave in a 30 calendar day period or has demonstrated excessive or abusive use of sick leave.

6. Employees using sick leave during a period of Family and Medical Leave (FMLA) are also subject to the medical certification provisions associated with FMLA. (See Rule [478-1-.23](#), Family and Medical Leave.)

(d) Excessive or Abusive Use of Sick Leave:

Excessive or abusive use of sick leave is defined as a pattern of intermittent, short-term usage that includes, but is not limited to, the following:

1. Frequent use of sick leave in conjunction with holidays, scheduled off days, weekends, or paydays;

2. Frequent use of sick leave when scheduled for undesirable temporary shifts or assignments, or during periods of peak workload;

3. A request for sick leave for an absence for which other paid leave has previously been denied;

4. Frequent occurrences of illness during the workday;

5. Peculiar and increasingly improbable excuses;

6. Repetitive use of fewer than 17 hours of sick leave in 30-day periods; or,

7. Prior written notification of failure to adhere to procedures for approval of leave, inappropriate attendance, or inappropriate use of leave (e.g., written warning, active attendance plan, etc.).

(e) Illness during Annual Leave:

If an employee is ill for three (3) workdays or more during a period of annual leave, the period of illness may be charged to sick leave if the employee provides satisfactory written evidence supporting the illness during annual leave. A request for substitution of sick leave for annual leave must be made to the agency within two (2) weeks after the employee has returned to duty. No substitution will be allowed for illness that does not last for three (3) or more workdays.

(f) Exhaustion of Sick Leave:

If an absence because of illness, injury, or disability extends beyond available sick leave, the absence may be charged to available annual leave, personal leave, compensatory time, or deferred holiday time, unless the employee applies for, and the agency approves, a leave of absence without pay. Leave donations may be available to an employee who must be absent for an extended period of time after exhausting all paid leave and compensatory time. (See Rule [478-1-.17](#), Leave Donation, for program details.)

(g) Carryover and Forfeiture of Sick Leave:

1. An employee may accrue up to 720 hours of sick leave. Any leave balance in excess of 720 is forfeited at the end of each month.
2. Sick leave that is forfeited may be restored by the agency if an employee exhausts all paid leave and compensatory time and must be absent because of a personal or immediate family medical condition. The restoration of leave is limited to:

(i) The amount required by the circumstances of the medical condition; and,

(ii) The leave forfeited during the current period of employment. Forfeited leave accrued prior to a break in service cannot be restored except as outlined in Section (7)(h) of this Rule.

(h) Divestment and Restoration of Sick Leave:

1. Upon a break in State service (i.e., separation from State employment for at least one full workday), an employee's accrued sick leave is divested and not paid out. (See Section (10)(e) of this Rule for an exception in such case as when a Community Service Board, County Board of Health, or Board of Health Community Operated Program agrees to accept an employee's leave upon transfer without a break in service.)

2. An employee's accrued sick leave is divested and not paid when an employee transfers into a position that is not entitled to earn sick leave (i.e., temporary position, hourly position for which the employee is paid only for the time worked, or part-time position scheduled for fewer than 20 hours per week).

3. Each agency has discretion to determine whether it will divest accrued sick leave for its active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia when they become ineligible for paid leave benefits upon reinstatement of retirement annuity payments at the beginning of each calendar year. If an agency chooses not to divest the accrued sick leave, the leave balance will remain credited to the rehired retiree who can then use the leave upon regaining eligibility for paid leave benefits.

4. Employees who return to State employment on or after July 1, 2003, and remain employed for a period of two (2) consecutive years in a position entitled to accrue leave in accordance with this Rule, are eligible to regain sick leave divested when their most recent previous period of State service ended.

5. Divested sick leave includes any sick leave that was available for use at the time of the employee's last separation from State service. It does not include any sick leave forfeited prior to the employee's last separation.

6. The maximum amount of divested sick leave the employee may regain is 720 hours. Divested leave will only be restored to the extent that the restored leave and current unused sick leave total 720 hours. Any remaining balance of divested sick leave will be credited to the employee's current forfeited leave balance.

7. If a Community Service Board, County Board of Health, or Board of Health Community Operated Program accepts leave upon transfer from the State, then sick leave is not considered divested at the time the employee leaves State service. Should the employee later return to State employment, sick leave divested at the time the employee returns to the Executive Branch would not be eligible for reinstatement.

8. To obtain restoration of divested sick leave, an employee must apply in writing to the employing agency and include supporting documentation. The agency will determine the appropriate amount of divested sick leave to be restored.

9. Employees returning to State employment within one year of being laid off by a State agency in accordance with a reduction-in-force plan will immediately receive restoration of the sick and forfeited leave that was lost at the time of layoff, provided they return to a position entitled to accrue leave in accordance with this Rule. (See Section (11) of this Rule.)

**(8) Personal Leave:**

Each year, an employee who has an accrued sick leave balance of more than 120 hours as of November 30 may convert up to 24 hours of the excess sick leave to personal leave.

(a) The employee must have a remaining sick leave balance of at least 120 hours after conversion.

(b) The employee must notify the agency of such a conversion no later than December 31 of that year. Agencies should ensure that employees who are absent in a protected leave status (e.g., FMLA, military leave) during the election period are advised of any eligibility to convert sick leave to personal leave and provided a reasonable opportunity to make the conversion.

(c) Sick leave that is converted during December becomes personal leave on January 1 and cannot be reversed after it is converted. Personal leave is available for use only during the calendar year following conversion.

(d) Each agency, by written policy, may set a minimum period of personal leave to be charged for any use which is only a fraction of that period. The minimum leave period cannot be greater than fifteen (15) minutes.

(e) Personal leave may be used for any reason, upon receiving supervisory approval, with the following exceptions:

(i) Employees cannot use personal leave while they are receiving Georgia State-funded wage substitutes, such as Workers' Compensation wage loss benefits.

(ii) An agency may by written policy require its employees to use available sick leave before using personal leave when the absence involves medical reasons that would qualify for sick leave.

(f) Agencies should make every reasonable effort to accommodate requests to utilize personal leave. An employee is, however, expected to give as much advance notice as possible to minimize disruptions.

(g) Personal leave not used by December 31 of the year the leave was available will be divested and cannot be restored.

(h) Any unused personal leave at the time of an employee's break in State service of at least one full workday is divested and not paid to the employee.

(i) When an employee transfers into a position that is not entitled to earn leave (i.e., temporary position, hourly position for which the employee is paid only for the time worked, or part-time position scheduled for fewer than 20 hours per week) any unused personal leave is divested and not paid.

(j) Personal leave carries no cash value if unused. There will be no payout for unused personal leave upon termination.

**(9) Election to Use Accrued Leave or Personal Leave for Workers' Compensation Absence:**

(a) An employee may not use annual, sick, or personal leave for an accidental injury or occupational disease which is compensable under the Georgia Workers' Compensation Act, unless the employee elects in writing to use paid leave in lieu of receiving Workers' Compensation wage loss benefits.

(b) The leave granted for such purpose will be credited on a day-for-day basis as compensation against any indemnity award by the State Board of Workers' Compensation.

(c) An employee may prospectively submit to the agency a written election to use annual, sick, and/or personal leave in lieu of receiving Workers' Compensation wage loss benefits.

**(10) Transfer of Accrued Leave and Personal Leave:**

The following provisions define the transfer of accrued leave and personal leave when employees transfer to a different State government agency or entity without a break in service from a position entitled to accrue leave into another position entitled to accrue leave. Note that accumulated compensatory time does not transfer between State entities. Upon transfer, the losing organization must payout unused FLSA compensatory time, and unused State compensatory time balances are divested and not paid. (See Sections (23) FLSA Compensatory Time and (24) State Compensatory Time of this Rule.)

**(a) Transfer between Executive Branch Agencies:**

Unused sick, annual, and personal leave and the record of forfeited leave will transfer between Executive branch agencies.

**(b) Transfer between Branches of State Government:**

1. Unused sick, annual, and personal leave and the record of forfeited leave will transfer from an Executive branch agency into the Legislative or Judicial branch to the extent the receiving organization agrees to accept the transfer. The employee will be paid for unused annual leave that cannot be transferred, up to a maximum of 360 hours, once the agency has received confirmation that the employee cannot receive credit. Accrued personal leave and sick leave balances that cannot be transferred are not paid and are divested.

2. The unused leave and record of forfeited leave will transfer into an Executive branch agency from the Legislative or Judicial branch only when the losing and receiving organizations have the same leave accrual program. If the Legislative or Judicial branch entity's leave program deviates from this Rule, leave balances and the record of forfeited leave will not transfer into the Executive branch agency, and the employee will be considered a new hire for purposes of graduated annual leave accrual.

**(c) Transfer between Board of Regents and Executive Branch:**

1. Unused sick, annual, and personal leave and the record of forfeited leave will transfer from an Executive branch agency into a unit of the Board of Regents/University System of Georgia to the extent the receiving organization agrees to accept the transfer. The employee will be paid for unused annual leave that cannot be transferred, up to a maximum of 360 hours, once the agency has received confirmation that the employee cannot receive credit. Accrued personal leave and sick leave balances that cannot be transferred are not paid and are divested.

2. Unused leave and the record of forfeited leave will not transfer into an Executive branch agency from the Board of Regents/University System of Georgia. Transferring employees are considered new hires for purposes of graduated annual leave accrual.

**(d) Transfer between Authorities and Executive Branch:**

1. Unused sick, annual, and personal leave and the record of forfeited leave will transfer from an Executive branch agency into an authority to the extent the receiving organization agrees to accept the transfer. The employee will be paid for unused annual leave that cannot be transferred, up to a maximum of 360 hours, once the agency has received confirmation that the employee cannot receive credit. Accrued personal leave and sick leave balances that cannot be transferred are not paid and are divested.

2. The unused leave and record of forfeited leave will transfer into an Executive branch agency from an authority only when the losing and receiving organizations have the same leave accrual program. If the authority's leave program deviates from this Rule, leave balances and the record of forfeited leave will not transfer into the Executive branch agency, and the employee will be considered a new hire for purposes of graduated annual leave accrual.

**(e) Transfers between Community Service Boards (CSB), County Boards of Health, and Board of Health Community Operated Programs (BOHCOP) and Executive Branch:**

1. Unused sick, annual, and personal leave and the record of forfeited leave will transfer from an Executive branch agency into a unit of a CSB, County Board of Health, and BOHCOP to the extent the receiving organization agrees to accept the transfer. The employee will be paid for unused annual leave that cannot be transferred, up to a maximum of 360 hours, once the agency has received confirmation that the employee cannot receive credit. Accrued personal leave and sick leave balances that cannot be transferred are not paid and are divested.

2. Unused leave and the record of forfeited leave will not transfer into an Executive branch agency from any CSB, County Board of Health, or BOHCOP. Transferring employees are considered new hires for purposes of graduated annual leave accrual. An exception applies to classified employees whose unused sick, annual, and personal leave and record of forfeited leave will transfer into the Executive branch.

**(11) Credit for Leave on Return from Layoff:**

The provisions in this section apply to employees rehired into State service in a position entitled to accrue leave in accordance with this Rule within one (1) year of being laid off as a result of agency downsizing or reorganization.

(a) Upon rehire, the employee's sick leave balance existing at the time of layoff will be reinstated.

(b) Any record of forfeited leave existing at the time of layoff will be reinstated, but the leave will not be available for the employee's use, except as provided for in Section (7) Sick Leave, of this Rule.

(c) The period of absence for the layoff will not constitute a break in service for purposes of graduated annual leave accrual.

(d) Upon rehire, the employee's personal leave balance will be reinstated, unless the employee returns in the calendar year after the personal leave would have expired.

**(12) Absence Due to Emergency Office Closures:**

When the Governor, or an agency upon delegated authority by the Governor, closes an office or facility because of weather conditions or other emergency circumstances, affected employees are excused from duty without loss of pay as provided in this Rule section. Employees who are not directly affected by an emergency office closure will not be excused from work.

(a) Employees considered directly affected by a closure:



1. Employees who were scheduled to work in an affected area during an emergency office closure are considered affected by the closure.
2. Non-temporary salaried employees affected by the closure are paid for the scheduled work time they do not work because of the closure. This paid time off is not charged against their accrued leave.
3. The following employees are not eligible for compensation for absences due to emergency closure:
  - (i) Unaffected employees,
  - (ii) All temporary employees,
  - (iii) All hourly employees, and
  - (iv) Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.
- (b) Employees considered unaffected by the closure:

Employees who were not scheduled to work in an affected area during an emergency office closure are considered unaffected by the closure. Employees scheduled to use leave or compensatory time during an emergency office closure will be charged for that pre-approved leave or compensatory time because they are considered unaffected by the closure.

(c) Essential Staff:

An agency may determine that it is essential to continue certain functions during an emergency office closure. Employees whose functions are deemed essential may be required to work, rather than excused from duty.

1. Such employees will be compensated as usual for the time worked during their normal work schedule and do not have any right to additional absence or compensation for this time as a result of paid absence authorized for non-essential staff.

2. Essential employees who are required to work additional time because of an office or facility closing will be compensated in accordance with the provisions of statewide policy #7 - Rules, Regulations and Procedures Governing Working Hours, the Payment of Overtime and the Granting of Compensatory Time.

(d) If an employee is absent from duty because of severe weather conditions or other emergencies that do not cause her/his office or facility to close, the agency may permit the employee to:

1. Make up time lost from work. In order to comply with the Fair Labor Standards Act, a non-exempt employee must make up time during the same workweek as the time lost;
2. Charge the period of absence to accrued compensatory time;
3. Charge the period of absence to accrued annual leave;
4. Charge the period of absence to personal leave;
5. Charge the period of absence to deferred holiday time;
6. Telework (if determined appropriate by the agency); or,

If none of the above options are available, place the employee on leave without pay for the period of absence.

**(13) Blood Donation Leave:**

(a) Non-temporary salaried employees are permitted to take up to two (2) hours of paid time off to donate blood, up to four (4) times each calendar year. Employees who donate blood platelets or granulocytes through the plasmapheresis process may take up to four (4) hours of paid time off, up to four (4) times a calendar year.

(b) An eligibility exception applies to active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia. Such employees are not eligible for blood donation leave while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(c) The agency may specify the hours during which an employee may be absent in order to donate blood. An employee who does not use the entire time allowed at the time of each donation does not accrue any right to any subsequent paid or unpaid leave.

**(14) Bone Marrow Donation Leave:**

(a) Non-temporary salaried employees are granted seven (7) workdays of paid leave to donate bone marrow for transplantation. The amount of leave will not be deducted from any accrued leave balance and will be included as service time for purposes of computing any retirement or pension benefits.

(b) An eligibility exception applies to active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia. Such employees are not eligible for bone marrow donation leave while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(c) To receive paid bone marrow donation leave, the employee must have approval from the agency for absence and provide the agency with a written statement from a medical practitioner performing the procedure. If the donation does not occur, bone marrow donation leave is not applicable.

**(15) Organ Donation Leave:**

(a) Non-temporary salaried employees are granted 30 workdays of paid leave to donate an organ for transplantation. The term "organ" means any human organ, including an eye, which is capable of being transferred from the body of one person to another. The amount of leave will not be deducted from any accrued leave balance and must be included as service time for purposes of computing any retirement or pension benefits.

(b) An eligibility exception applies to active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia. Such employees are not eligible for organ donation leave while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(c) To receive paid organ donation leave, the employee must have approval from the agency for absence and provide the agency with a written statement from a medical practitioner performing the transplant procedure or a hospital administrator indicating that the employee is making an organ donation. If the donation does not occur, organ donation leave is not applicable.

**(16) Court Leave:**

(a) The State recognizes employees' obligation to perform civic duties when summoned as a potential juror or witness and grants time off to employees for such purposes. An employee may not be discharged, disciplined, or otherwise penalized because the employee is absent from employment for the purpose of attending a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process which requires the attendance of the employee.

(b) Leave Request and Supporting Documentation:

1. An employee who is summoned to perform jury duty or to serve as a witness during scheduled work time and needs to be absent from work is expected to provide a copy of the summons, subpoena, or other court order when requesting leave.

2. Because employees will typically not know in advance how much time will be required to fulfill their court obligation, employees may be required to update the agency at reasonable intervals concerning the time needed for absence from duty.

(c) Paid Court Leave:

1. Paid court leave is granted to non-temporary salaried employees, as outlined in this Rule Section, for the purpose of attending a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process which requires the attendance of the employee during scheduled work hours. Such paid time off is not charged to an employee's accrued leave.

2. The following employees are not eligible for paid court leave:

(i) All temporary employees,

(ii) All hourly employees, and

(iii) Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(d) Jury Duty:

1. Eligible employees will receive paid court leave while on jury duty for the time they are otherwise scheduled to work. Employees will be paid only for the time they are required to appear by the court, plus any additional time that is reasonably necessary, in the opinion of the agency, for the employee to prepare for or return from jury duty.

2. Employees will not receive any compensation for time spent serving as a juror that exceeds the employee's regular work schedule.

3. Employees may keep any juror fees and travel allowances they receive from the court.

(e) Court Attendance and Witness Duty Leave:

1. An employee summoned to appear as a witness or required by a court to attend a proceeding will typically be paid in the same manner as an employee serving on a jury. However, an employee will not receive paid court leave to attend a trial, arbitration hearing, or other judicial proceeding in which s/he:

(i) Is charged with a crime;

(ii) Is a plaintiff or defendant;

(iii) Voluntarily appears as a witness;

(iv) Is a witness in a case arising from or related to her/his outside employment or outside business activity;

(v) Is testifying for a fee as an expert witness; or,

(vi) Has any other personal or familial interest in the proceeding.

2. When paid court leave is not applicable, the employee must use annual leave, personal leave, compensatory time, deferred holiday time, or take leave without pay.

(f) Return from Court Leave:

Employees are required to report back to work as soon as they are released from jury duty or other court ordered appearance if the release occurs before the end of the scheduled workday. Management may require verification from the court showing the time served. Failure to return timely from court leave is treated as an unexcused absence.

**(17) Voting Leave:**

(a) The State encourages employees to exercise their right to vote in all federal, state, and local elections. Non-temporary salaried employees may be granted paid time off to vote, up to a maximum of two (2) hours per Election Day, as provided in this section. Paid voting leave is not charged to an employee's accrued leave.

(a) Eligibility for Voting Leave:

1. Paid voting leave is available to employees when their work schedule does not allow them at least two (2) hours (including travel) to vote either before or after work. Employees who are scheduled to begin work at least two (2) hours after the polls open or end work at least two (2) hours before the polls close are not eligible for voting leave.

2. Paid voting leave is not available for voting midday. It must be used either at the beginning or end of the employee's regular workday.

3. Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia are not eligible for voting leave while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(b) Voting leave covers only the time necessary to give an employee two (2) hours either before or after work to vote. For example, an employee whose work schedule allows only 1½ hours to vote either before or after work would be eligible for 30 minutes of voting leave.

(c) For those employees not eligible for voting leave, agencies have the discretion to arrange flexible work schedules for voting purposes. Agencies may also allow employees to use other available paid leave, other than sick leave, if they are not eligible for voting leave or need more than two (2) hours to vote.

(d) Early Voting:

An agency may allow employees paid voting leave on early voting days if it determines that doing so minimally disrupts normal operations.

(e) Notification Requirement:

Employees are responsible for requesting and obtaining approval from their supervisor in advance of taking time off to vote and should schedule the time off in a manner that minimally disrupts normal agency operations.

**(18) Education Support Leave:**

To supplement work-life balance options for State employees, the State provides up to eight (8) paid hours of leave per calendar year to eligible employees for the purpose of promoting education in Georgia. Such leave is in addition to, and not charged against, an employee's accrued leave.

(a) Education support leave may be taken in increments of fewer than eight (8) hours utilizing the same minimum period an agency has established for other forms of paid leave.

(b) Eligibility:

All eligibility criteria defined below must be met before an employee can use education support leave.

1. Any non-temporary, full-time employee of the State of Georgia, or of any branch, department, board, bureau, or commission thereof, may request to use and be considered for education support leave. An exception applies to active, salaried, non-temporary employees in the Executive branch who are rehired retirees of the Employees' Retirement System. Such employees are not eligible for education support leave while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

2. Only activities directly related to student achievement and academic support will qualify for education support leave. Such activities may range from early care and learning through higher education. Each State employer maintains the authority to determine, in accordance with the provisions outlined in this Rule, whether an activity would qualify for education support leave.

3. To use education support leave, an employee may be, but is not required to be, the parent of a student.

4. Employees must not receive pay for services they perform while using education support leave.

5. Employees must receive prior approval from their supervisor before providing the services for which they are requesting education support leave. The State employer has discretion to require written verification from a school administrator, teacher, or other official prior to approval.

6. The State employer maintains discretion to approve or deny requests for education support leave based on operational needs or other reasons, such as conduct, attendance, or unsatisfactory work performance. The State employer should ensure that denials are applied consistently for all similarly situated employees.

7. Use of education support leave for any political purpose or agenda is prohibited.

(c) Education support leave does not accumulate, and unused leave does not roll over into subsequent calendar years. Rather, eligible employees may use education support leave for qualifying absences that occur during their regular scheduled work hours, up to a total of eight (8) hours in any calendar year.

(d) Employees can use no more than eight (8) paid hours of education support leave in a calendar year regardless of transfer from one State employer to another. Each State employer is responsible for conducting due diligence to ensure an employee has not exhausted education support leave prior to approving the paid leave.

(e) Education support leave carries no cash value if unused. There will be no payout for unused education support leave upon termination.

(f) Education support leave is not available to support education outside of the State of Georgia.

**(19) Disaster Volunteer Leave:**

The State recognizes that cooperation among government agencies and volunteer service agencies is vital in coping with natural disasters and other emergencies. To help prevent the loss and destruction of life and property, the State believes that employees who are trained and experienced in disaster relief should be able to provide assistance for brief periods without loss of pay and benefits.

**(a) Eligibility:**

1. To be eligible for paid disaster volunteer leave, an employee must be a certified disaster service volunteer of the American Red Cross whose services have been requested by the American Red Cross or by the Civil Air Patrol Auxiliary of the United States Air Force. The request for leave is subject to approval by the employee's agency and must be coordinated through the Director of Emergency Management.

2. The following employees are not eligible for disaster volunteer leave:

(i) All temporary employees,

(ii) All hourly employees, and

(iii) Active, salaried, non-temporary employees who are rehired retirees of the Employee's Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(b) Paid Disaster Volunteer Leave:

An eligible employee may be granted leave with pay to participate in specialized disaster relief services for the American Red Cross or for the Civil Air Patrol Auxiliary of the United States Air Force. Paid leave to participate in specialized disaster relief services for the Civil Air Patrol Auxiliary of the United States Air Force is available only for service on a numbered mission in support of a county emergency management agency, the Georgia Emergency Management and Homeland Security Agency, or a comparable federal agency.

1. Paid leave under this section cannot exceed 15 workdays in any 12-month period and can be granted only for services related to a disaster occurring within the State of Georgia or in a bordering state which has a reciprocal statutory provision.

2. Paid disaster volunteer leave is not charged against an employee's accrued leave.

3. The employee will be compensated at the rate of pay for the regularly scheduled hours during which the employee is absent from work as a result of disaster volunteer leave.

**(20) Line-of-Duty Injury Leave (Special Injury Leave):**

A non-temporary salaried employee scheduled to work 30 or more hours per week who becomes physically disabled as a result of an injury incurred in the line-of-duty and caused by a willful act of violence committed by a non-agency employee is entitled to a leave of absence for the period the employee is physically unable to perform her/his duties. Such a leave of absence will be provided in lieu of using accrued leave, and the employee will continue to receive regular compensation, subject to the limitations below.

(a) Leave granted under this provision cannot exceed 180 workdays for any single incident.

(b) An employee seeking leave under this section must submit documentation of disability to the agency.

(c) The following employees are not eligible for line-of-duty injury leave:

(i) All temporary employees,

(ii) All hourly employees, and

(iii) Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(d) Benefits received under this provision of the Rule will be subordinate to any Workers' Compensation wage loss benefits that the employee is awarded and will be limited to the difference between the amount of Workers' Compensation benefits actually paid and the amount of the employee's regular compensation.

(e) Injury to Employees of the Department of Transportation:

When an employee of the Department of Transportation is disabled while working in the proximity of traffic movements or equipment movements doing maintenance, construction, or other activities which may be construed as hazardous, the reasons that qualify for line-of-duty injury leave are expanded. Qualifying reasons include: an act

of violence, accident, or injury that is caused by a person other than an employee of the agency or an employee of a contractor or subcontractor performing duties under a contract with the agency.

**(f) Permanent Disability to Law Enforcement Personnel:**

Law enforcement personnel who are permanently disabled by an act of external violence or injury on the job and who qualify for a disability retirement benefit under O.C.G.A. § [47-2-221](#) are not eligible to receive line-of-duty injury leave under this provision.

**(21) Leave for Contracting TB or Hepatitis on the Job:**

(a) A non-temporary salaried employee who contracts tuberculosis or infectious hepatitis while charged with the care, treatment, or diagnosis of a person infected with tuberculosis or infectious hepatitis, and who has exhausted all available sick and annual leave will be granted a paid leave of absence of one-half her/his total compensation or \$150 per month, whichever is less, for the duration of the disability due to the tuberculosis or infectious hepatitis, not to exceed 350 weeks.

(b) The following employees are not eligible for paid leave for contracting TB or hepatitis on the job:

(i) All temporary employees,

(ii) All hourly employees, and

(iii) Active, salaried, non-temporary employees who are rehired retirees of the Employees' Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

(c) An employee receiving leave under this special situation will be given credit for all salary adjustments and advancements, which would have been received had the employee remained in the same position with the same capacity and status held at the time the leave was granted.

**(22) Leave Without Pay:**

(a) Leave without pay may be used in the following situations:

1. When an employee is authorized for absence but does not have available paid leave to cover the absence;
2. When an employee is authorized for absence but foregoes the use of available paid leave for a Workers' Compensation-related absence or for other absence with the concurrence of the agency;
3. When an employee does not have approval for an absence (See Section (22)(g), below);
4. When there is insufficient funding for salaries (See Section (22)(h), below); and
5. When there is insufficient work available (See Section (22)(i), below).

(b) Leave without pay is not included as service time for purposes of computing retirement or pension benefits, unless otherwise specified.

(c) Short-Term Authorized Leave without Pay:

Agencies may grant an employee who is absent, but does not have accrued leave to cover the period of absence, leave without pay for a period of not more than 10 consecutive workdays in any one continuous absence. At the expiration of the approved leave, the employee shall be returned to the same position without any loss of rights provided the employee returns within the terms of the leave granted.

(d) Regular Leave of Absence without Pay:

1. A regular leave of absence without pay allows an employee to take unpaid time off for up to 12 continuous months and be granted return to work if the employee returns within the terms of the leave approval.
2. The employee must submit a written request to the agency. If approved, a written notice specifying the terms and conditions of the approval must be provided to the employee, including a statement indicating that the employee will be reinstated to the former position or to a position of equal grade and pay without loss of any rights provided the employee returns within the terms of the leave granted.
3. Although a regular leave of absence without pay does not constitute a break in service and does not result in divestment of leave, an employee who is taking an approved leave of absence without pay of 30 calendar days or more may request and receive an annual leave payout for all accrued annual leave excluding forfeited leave, up to a maximum of 360 hours. (See Section (6)(e)4 of this Rule.)

(e) Contingent Leave of Absence without Pay:

1. A contingent leave of absence without pay is similar to a regular leave of absence, but does not guarantee a position will be available for the employee's return.
2. The employee may submit a written request to the agency to take a continuous leave without pay for a period not exceeding 12 months. The notice of approval must include the terms and conditions of the approval including a statement that the employee's right to return at the expiration of leave is not guaranteed and will be contingent upon a suitable vacancy being available.
3. Because a contingent leave of absence without pay does not guarantee an employee the right to return to work at the expiration, it may not be considered a reasonable accommodation under the Americans with Disabilities Act, as amended.
4. Although a contingent leave of absence without pay does not constitute a break in service and does not result in divestment of leave, an employee who is taking an approved leave of absence without pay of 30 calendar days or more may request and receive an annual leave payout for all accrued annual leave excluding forfeited leave, up to a maximum of 360 hours. (See Section (6)(e)4 of this Rule.)

(f) Extending a Leave of Absence without Pay:

1. The agency may extend an approved leave of absence without pay when such extension is properly requested. The employee must submit a written request for extension before the expiration of approved leave or follow other agency procedures. If approved, a written notice specifying the terms and conditions of the extension, including any rights to reinstatement, must be provided.
2. A continuous unpaid leave of absence may not exceed 24 months, unless otherwise required as a reasonable accommodation.

(g) Unauthorized Leave without Pay:

1. An employee who is absent without approval may be placed in non-pay status and may be subject to disciplinary action, up to and including termination of employment.
2. An unclassified employee who is absent from duty for three (3) consecutive workdays or equivalent without proper authorization may be considered to have voluntarily resigned. (See Rule [478-1-.15](#), Changes to Employment Status.)
3. A classified employee who is absent from duty for five (5) consecutive workdays or the equivalent of a scheduled workweek without proper authorization may be considered to have voluntarily resigned. (See Rule [478-1-.28](#), Voluntary Separations for Classified Employees.)



(h) Furlough - Insufficient Funding:

1. Due to a curtailment of funds, an agency may place employees in a non-pay status as a temporary reduction-in-force pursuant to a plan filed with the Department of Administrative Services.
2. On furlough days, an employee does not perform work and does not receive pay.
3. Employees may not be placed in non-pay furlough status for more than a total of 30 workdays in any 12-month period.
4. Absences under these circumstances will not be charged against accrued leave or compensatory time, will not be considered a break in service, and will not affect eligibility for salary increases.

(i) Temporary Layoff - Insufficient Work:

1. If sufficient work is temporarily unavailable or not feasible, the supervisor may, pursuant to a prior written employment agreement with an employee, place the employee in a non-pay status during the period.
2. The agreement should clearly specify the terms and conditions of the leave without pay and any rights to reinstatement.
3. An employee affected by a temporary layoff because of insufficient work may request the use of accrued annual leave, personal leave, deferred holiday time, or compensatory time to remain in pay status.
4. This provision may not be used in lieu of an adverse action against an employee.

**(23) FLSA Compensatory Time:**

Overtime for non-exempt employees will be governed by the provisions of the Fair Labor Standards Act (FLSA). Overtime worked by non-exempt employees will normally be credited as FLSA compensatory time at a rate of one and one-half hours of compensatory time for each hour of overtime worked. (See statewide policy #7 - Rules, Regulations and Procedures Governing Working Hours, the Payment of Overtime and the Granting of Compensatory Time.)

(a) Overtime:

1. Each agency is responsible for the control of all overtime worked in the agency and for accurately approving and recording such overtime worked in the agency time and leave system.
2. For most non-exempt employees, overtime is credited when the employee actually works more than 40 hours in a defined workweek. The overtime threshold is defined differently for law enforcement, fire protection, hospital, and nursing home employees if they use extended FLSA work period options as provided in statewide policy #7 - Rules, Regulations and Procedures Governing Working Hours, the Payment of Overtime and the Granting of Compensatory Time.
3. Time worked does not include paid time off, such as leave, holidays, or suspension.
4. Unscheduled and unauthorized overtime worked by non-exempt employees will be compensated. However, disciplinary action determined appropriate by the agency, up to and including separation from employment, may be taken against a non-exempt employee who works unscheduled or unauthorized hours.

(b) Use and Limitations of FLSA Compensatory Time:

1. An employee must be granted FLSA compensatory time off within a reasonable time after making the request if the use of such time off does not unduly disrupt operations.

2. An agency may by written policy require its employees to use accumulated FLSA compensatory time before using annual and/or sick leave.

3. For most employees, the maximum FLSA compensatory time accrual is 240 hours at any given time. The maximum accrual is 480 hours for employees in a public safety activity, emergency response activity, or seasonal activity. Compensatory time in excess of 240 hours (480 hours for employees in a public safety activity, emergency response activity, or seasonal activity) must be paid out.

**(c) Payment for Overtime:**

1. Employees receive pay for overtime only in the following situations:

(i) When the agency approves payment in lieu of FLSA compensatory time as provided in statewide policy #7 - Rules, Regulations and Procedures Governing Working Hours, the Payment of Overtime and the Granting of Compensatory Time.

(ii) Upon exceeding the accumulation limits of FLSA compensatory time. (See Section (23)(b)2.)

(iii) Upon separation from employment with the agency, including transfer from the agency to another State employer.

2. Payment for overtime is typically made the pay period following the pay period in which the overtime is earned. Payment for law enforcement, fire protection, hospital, and nursing home staff with unique FLSA work periods is made the pay period following the FLSA work period during which the overtime is earned.

**(24) State Compensatory Time:**

State compensatory time is hour-for-hour paid time off for employees who work longer than the normally assigned hours in a work period but do not qualify for FLSA compensatory time. Each agency by written policy defines which of its employees, if any, are eligible for state compensatory time as provided in statewide policy #7 - Rules, Regulations and Procedures Governing Working Hours, the Payment of Overtime and the Granting of Compensatory Time.

(a) The maximum state compensatory time accrual allowed is 240 hours at any given time. Any state compensatory time earned in excess of 240 hours is lost and not paid out.

(b) Generally, state compensatory time not used within one (1) year of the date that it is earned is lost and not paid out.

1. An agency may, by written policy, allow state compensatory time earned during the Public Health State of Emergency declared on March 14, 2020, and ended on July 1, 2021, to be used within two (2) years of the date it is earned.

2. Such written policy may be applied to an entire agency or may identify eligible employees or job classes of employees that were so impacted by the increased workload during the Public Health State of Emergency that the state compensatory time was unable to be used prior to the regular one (1) year expiration.

(c) Unused state compensatory time is lost upon separation from employment. The employee will not be compensated for such time in any manner, and it will not transfer with the employee to another State entity.

(d) An agency may by written policy require its employees to use accumulated state compensatory time before using annual and/or sick leave.

**(25) Holidays:**

(a) Observing State Holidays:

The State observes 12 public holidays each calendar year on dates declared by the Governor. State offices are closed and employees do not report for work on declared holidays, except as noted below.

1. 24-7 operations, such as hospitals and correctional facilities, will remain open on holidays, and designated staff will report for work.
2. State operations with seasonal fluctuations that result in insufficient availability of work during certain times of the year may establish a policy for its employees to observe holidays during the work down cycle, rather than on the dates declared by the Governor. The policy must be in writing and communicated to all affected employees, and the alternate holidays must be observed within the same calendar year as the dates declared by the Governor.
3. In emergency situations or to meet essential business needs, an agency may require one or more employees to work on a holiday.

(b) Eligibility for Paid Holiday:

1. Salaried employees and other employees designated by the Georgia Industries for the Blind are eligible to receive paid time off for State holidays they observe, as provided in this Rule section.
2. To be eligible for pay on a State holiday, an employee must be in pay status for the full scheduled work shift on either the workday immediately before or immediately after the holiday. "Pay status" means either working or taking approved paid time off.
3. Employees are not paid for a holiday that occurs the day before they enter or reenter State service.
4. Employees are not paid for a holiday that occurs the day after they leave State employment.
5. Employees are not paid for a holiday that occurs on their last day of State employment, unless the holiday is at the end of their normal workweek. (See item 6, below, for an exception.)
6. The compensation for employees retiring from State employment will not be reduced when their last day of employment before retirement falls on a holiday.
7. The following employees are not eligible for paid State holidays:
  - (i) All temporary employees,
  - (ii) All hourly employees, and
  - (iii) Active, salaried, non-temporary employees who are rehired retirees with the Employees' Retirement System of Georgia while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.
8. Part-time salaried employees and part-time employees of the Georgia Industries for the Blind are not paid for a holiday that falls on a day they would not have otherwise been scheduled to work. For example, a part-time employee who is scheduled to work Mondays, Wednesdays, and Fridays, would not be paid for a holiday that falls on a Thursday.

(c) Pay for Holidays and Provisions for Employees on Alternative Work Schedules:

1. Employees eligible for a paid holiday receive pay for the time they would otherwise have worked that day, up to a maximum of eight (8) hours.

2. An agency with full-time salaried employees on alternative work schedules will define the options available to its employees who would have been scheduled for shifts longer than eight (8) hours on the holiday. Such options include allowing employees to:

(i) Revert to an 8x5 work schedule during the week of the holiday (or for a 2-week cycle for employees on a 9-hour workday schedule);

(ii) Use paid leave to supplement the holiday pay and receive full pay for the day; or,

(iii) Work additional time during the week of the holiday to remain in pay status the full workweek.

3. An agency with full-time salaried employees on alternative work schedules whose scheduled day off falls on a holiday may allow such employees to revert to an 8x5 schedule, as indicated in Section 25(c)2, above, or allow them to remain on their alternative schedule and receive equivalent time off for the holiday, as defined in Section (25)(d), below.

(d) Equivalent Time Off or Deferred Holiday Payout:

1. Equivalent time off (i.e., deferred holiday time) will be made available to employees who would otherwise have been eligible for a paid holiday but were either required to work on part or all of a holiday or whose scheduled day off occurred on a holiday. See exceptions in (i) and (ii), below.

(i) Neither equivalent time off, nor additional compensation, will be given to those employed on an academic school year basis whose annual compensation is based on a specified number of workdays, and the holiday is a workday on which their salary is based.

(ii) Part-time employees whose scheduled day off occurred on a holiday are not given equivalent time off or additional compensation for the holiday.

2. Equivalent time off to observe the holiday will not exceed the time actually worked on the holiday or eight (8) hours, whichever is less.

3. An agency may by written policy require its employees to use deferred holiday time before using annual leave, sick leave, personal leave, or compensatory time.

4. Deferred holiday time must be used within 365 days after the day proclaimed as a holiday; otherwise, it must be paid out by the agency.

5. An employee who separates from an agency will be paid for any deferred holiday time not used or paid out prior to separation.

6. An employee will not be paid for a holiday in advance of the observance of the holiday.

7. An employee scheduled to work on a holiday who, without prior approval, fails to report for any portion of the scheduled duty will not be granted deferred holiday time for the time (if any) that was worked on the holiday. Such employee may be subject to leave without pay for the scheduled time not worked and/or other appropriate.

(e) Request to Observe Other Religious Holiday:

1. An employee may request priority consideration for time off from work to observe a religious holiday that is not observed as a State holiday. To receive priority consideration, the request should be made at least seven (7) calendar days in advance.

2. An employee may request priority consideration for up to three (3) workdays in each calendar year.

3. A request by an employee for time off for religious observance cannot be denied unless:

(i) The duties performed by the employee are urgently required, and the employee, in the agency's judgment, is the only person available who can perform the duties; or,

(ii) The agency can otherwise show that accommodating the request would be an undue hardship.

4. Any paid time off granted to observe a religious holiday will be deducted from the employee's accrued annual leave, personal leave, compensatory time, or deferred holiday time available at the time of the observance. If the employee does not have sufficient annual leave, personal leave, compensatory time, or deferred holiday time to cover the period of absence, the agency must allow leave without pay for the absence, unless doing so would be an undue hardship.

#### **(26) Paid Parental Leave:**

To enhance work-life balance for employees, the State provides full-time employees, as well as hourly employees who meet the criteria noted in subsection (a) 2 (ii) below, with up to 120 hours of paid parental leave in a 12-month period. Paid parental leave is not charged against an employee's accrued leave.

##### **(a) Eligibility:**

1. Eligibility for paid parental leave is based on one of the following qualifying life events:

(i) birth of the employee's child;

(ii) placement of a minor child for adoption with the employee; or

(iii) placement of a minor child for foster care with the employee.

2. To be eligible to use paid parental leave for a qualifying life event, an employee must meet one of the two following criteria:

(i) if salaried, the employee must have six continuous months of employment with an employing entity (as defined in O.C.G.A. [45-20-17\(a\)\(2\)\(A\)](#)); or,

(ii) if hourly, the employee must have worked 700 hours for an employing entity (as defined in O.C.G.A. [45-20-17\(a\)\(2\)\(A\)](#)) in the six months immediately preceding the first requested paid parental leave date.

Rehired retirees of the Employees' Retirement System of Georgia, whether salaried or hourly, are not eligible for paid parental leave while receiving retirement annuity payments during the first 1,040 hours of work performed in the calendar year.

##### **(b) Usage of Paid Parental Leave**

1. An eligible employee may take a maximum of 120 hours of paid parental leave in a rolling 12-month period. The rolling period will be measured backward from the first date of leave taken. The amount of leave in a rolling 12-month period cannot exceed 120 hours, regardless of the number of qualifying events that occur during that period and regardless of transfers between employing entities (as defined in O.C.G.A. § [45-20-17\(a\)\(2\)\(A\)](#)). Each state employer is responsible for conducting due diligence to ensure an employee has not exhausted the 120-hour allotment prior to approval of paid parental leave.

2. Leave may be taken as needed and in increments of less than eight hours, using the same minimum period an agency has established for other forms of paid leave.

(c) If an employee eligible for paid parental leave is also eligible for leave under the federal Family and Medical Leave Act (FMLA) (see Rule [478-1-.23](#), Family and Medical Leave), an agency may, by written policy, require paid parental leave to run concurrently with FMLA leave.

(d) Agencies may require employees to submit appropriate supporting documentation for the use of paid parental leave. Any required supporting documentation shall be the same as that required for the use of federal family and medical leave under Section (7) of Rule [478-1-.23](#), Family and Medical Leave, for the same qualifying event.

(e) Any paid parental leave remaining 12 months after the initial qualifying event shall not carry over for future use.

(f) Unused paid parental leave shall have no cash value and shall not be paid out at the time of the employee's separation from employment.

**Cite as** Ga. Comp. R. & Regs. R. 478-1-.16

**AUTHORITY:** O.C.G.A. §§ [45-20-3](#), [45-20-3.1](#), [45-20-4](#), [45-20-16](#).

**HISTORY:** Original Rule entitled "Veteran's Preference" adopted. F. July 31, 1985, eff. July 1, 1985, as specified by the Board.

**Amended:** F. Jan. 22, 1988; eff. Nov. 12, 1987, as specified by the Board.

**Amended:** R. 478-1-.0 C repealed and renumbered R. 478-1-.16 of same title adopted. F. Aug. 11, 1992; eff. July 2, 1992, as specified by the Board.

**Amended:** F. Oct. 17, 1994; eff. Oct. 6, 1994, as specified by the Board.

**Amended:** F. Apr. 22, 1997; eff. Apr. 9, 1997, as specified by the Board.

**Amended:** F. Oct. 8, 1997; eff. Sept. 25, 1997, as specified by the Board.

**Amended:** F. Jan. 13, 2003; eff. Dec. 4, 2002, as specified by the Board.

**Amended:** F. Jan. 5, 2006; eff. Dec. 22, 2005, as specified by the Board.

**Repealed:** New Rule entitled "Absence from Work" adopted. F. Dec. 23, 2008; eff. Dec. 17, 2008, as specified by the Board.

**Amended:** F. Oct. 28, 2009; eff. Aug. 27, 2009, as specified by the Board.

**Amended:** F. July 30, 2010; eff. July 16, 2010, as specified by the Board.

**Amended:** F. Dec. 30, 2013; eff. Sep. 25, 2013, as specified by the Board.

**Amended:** F. July 1, 2015; eff. June 25, 2015, as specified by the Board.

**Amended:** F. Jan. 17, 2017; eff. Jan. 9, 2017, as specified by the Board.

**Amended:** F. July 15, 2021; eff. June 22, 2021, as specified by the Board.

**Amended:** F. Nov. 23, 2021; eff. Nov. 3, 2021, as specified by the Board.

# **Department 511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH**

## **Chapter 511-5. HEALTH PROMOTION**

### **Subject 511-5-5. TESTING FOR INHERITED DISORDERS IN THE NEWBORN**

#### **511-5-5-.02 [Effective 12/29/2021] Definitions**

- (a) "Abnormal test result" is a test result from blood testing or physiologic monitoring that is outside the screening limits set forth in the current edition of the Department's "Georgia Newborn Screening Program Policy and Procedure Manual";
- (b) "Adequate specimen" is a dried blood spot specimen that is properly collected in accordance with the current edition of the Department's "Georgia Newborn Screening Program Policy and Procedure Manual";
- (c) "Approved laboratory" is a laboratory which has been specifically approved by the Department to conduct laboratory analysis of dried blood spot specimens for the disorders specified in the Georgia Newborn Screening Policy and Procedure Manual;
- (d) "Automated auditory brainstem response" or "aABR" is a specific test method that measures the brainstem's response to acoustic stimulation of the ear, using equipment that automatically provides a pass/refer outcome;
- (e) "Automated Otoacoustic Emissions Testing" or "aOAE" is a specific test method that elicits a physiologic response from the outer hair cells in the cochlea, using equipment that automatically provides a pass/refer outcome;
- (f) "Birthing center" means any facility that is licensed by the Georgia Department of Community Health as a birthing center;
- (g) "Critical Congenital Heart Disease" or CCHD refers to a group of serious heart defects that are present from birth, including coarctation of the aorta, double-outlet right ventricle, D-transposition of the great arteries, Ebstein anomaly, hypoplastic left heart syndrome, interrupted aortic arch, pulmonary atresia, single ventricle, total anomalous pulmonary venous connection, tetralogy of Fallot, tricuspid atresia, and truncus arteriosus;
- (h) "Department" means the Georgia Department of Public Health;
- (i) "Hospital" means any facility that is licensed by the Georgia Department of Community Health as a hospital;
- (j) "Newborn Screening Specimen Card" or "NBS Card" means the current version of DPH Form 3491 used to collect information and blood specimen from a newborn baby;
- (k) "Newborn Hearing Screening Test" means the completion of an objective, physiological test or battery of tests administered to determine the infant's hearing status and the need for further diagnostic testing by an audiologist or physician in accordance with the Georgia Newborn Screening Program Policy and Procedure Manual's approved instrumentation, protocols and pass/refer criteria;
- (l) "Newborn Screening and Genetics Advisory Committee (NBSAC)" is a multi-disciplinary group of professional and consumer representatives with knowledge and expertise in newborn screening programs appointed by the Commissioner of Public Health;
- (m) "Submitter" means any person or entity submitting a Newborn Screening Specimen Card for analysis;

(n) "Unsatisfactory Specimen" is a dried blood spot specimen that is rejected by the laboratory because the quality of the specimen does not allow accurate testing, or because critical information is missing from the NBS Card which inhibits the laboratory's ability to accurately identify the baby or interpret the test results.

**Cite as** Ga. Comp. R. & Regs. R. 511-5-5-.02

**AUTHORITY:** O.C.G.A. §§ [31-2A-6](#); [31-12-5](#) through -7; 31-22-2.

**HISTORY:** Original Rule entitled "Provisions" adopted. F. Sep. 20, 2013; eff. Oct. 10, 2013.

**Repealed:** New Rule entitled "Definitions" adopted. F. May 13, 2014; eff. Jun 2, 2014.

**Amended:** F. Nov. 29, 2021; eff. Dec. 29, 2021, as specified by the Agency.

### **511-5-5-.03 [Effective 12/29/2021] Testing Required of Newborn Babies**

(1) It is the goal of the Department that every baby born alive in Georgia shall be tested for the following conditions, unless its parents or legal guardians object in writing on the ground that such tests and treatment conflict with their religious beliefs:

- (a) critical congenital heart disease (CCHD);
- (b) hearing impairment;
- (c) argininosuccinic aciduria;
- (d) beta-ketothiolase deficiency;
- (e) biotinidase deficiency;
- (f) carnitine uptake defect;
- (g) citrullinemia;
- (h) congenital adrenal hyperplasia;
- (i) congenital hypothyroidism;
- (j) cystic fibrosis;
- (k) galactosemia;
- (l) glutaric acidemia type I;
- (m) homocystinuria;
- (n) isovaleric acidemia;
- (o) Krabbe disease as a 3-year pilot program beginning September 21, 2021;
- (p) long-chain acyl-CoA dehydrogenase deficiency;
- (q) maple syrup urine disease;
- (r) medium-chain acyl Co-A dehydrogenase deficiency;



- (s) methylmalonic acidemia;
- (t) mucopolysaccharidosis type 1;
- (u) multiple carboxylase deficiency;
- (v) phenylketonuria;
- (w) pompe disease;
- (x) propionic acidemia;
- (y) severe combined immunodeficiency (SCID);
- (z) sickle cell hemoglobinopathies;
- (aa) spinal muscular atrophy;
- (bb) trifunctional protein deficiency;
- (cc) tyrosinemia;
- (dd) very long-chain acyl-CoA dehydrogenase deficiency;
- (ee) x-linked adrenoleukodystrophy;
- (ff) 3-methylcrotonyl-CoA carboxylase deficiency; and
- (gg) 3-OH 3-CH<sub>3</sub> glutaric aciduria.

(2) Unless otherwise noted in subparagraph (1) above, testing for conditions (1)(c) through (gg) shall be conducted through laboratory analysis of the baby's blood on a Newborn Screening Specimen Card as provided in DPH Rule [511-5-5-.04](#).

**Cite as** Ga. Comp. R. & Regs. R. 511-5-5-.03

**AUTHORITY:** O.C.G.A. §§ [31-2A-6](#); [31-12-5](#) through -7.

**HISTORY:** Original Rule entitled "Testing Required of Newborn Babies" adopted. F. May 13, 2014; eff. Jun 2, 2014.

**Amended:** F. June 14, 2019; eff. July 15, 2019, as specified by the Agency.

**Amended:** F. Nov. 29, 2021; eff. Dec. 29, 2021, as specified by the Agency.

### **511-5-5-.07 [Effective 12/29/2021] Approved Laboratories**

(1) A private laboratory may seek approval from the Department to conduct newborn screening laboratory analysis by showing to the Department's satisfaction that it holds a valid Certificate of Accreditation or Certificate of Registration from CMS to perform high-complexity testing of newborns for the conditions listed in DPH Rule [511-5-5-.03\(c\) through \(gg\)](#), and that it can perform consistent and reliable testing in accordance with the Rules of the Department.

(2) Approved laboratories performing analysis of a Georgia Newborn Screening Specimen Card shall conduct testing for all of the conditions listed in DPH Rule [511-5-5-.03\(c\) through \(gg\)](#) and shall report the results of the testing to the appropriate newborn screening follow-up provider and submitter on the day that testing is completed.

(3) Approved laboratories shall retain the Cards according to the retention schedule in the current Georgia Newborn Screening Program Policy and Procedure Manual.

**Cite as** Ga. Comp. R. & Regs. R. 511-5-5-.07

**AUTHORITY:** O.C.G.A. §§ [31-2A-6](#); [31-12-5](#) through -7; 31-22-2.

**HISTORY:** Original Rule entitled "Approved Laboratories" adopted. F. May 13, 2014; eff. Jun 2, 2014.

**Amended:** F. June 14, 2019; eff. July 15, 2019, as specified by the Agency.

**Amended:** F. Nov. 29, 2021; eff. Dec. 29, 2021, as specified by the Agency.

### **511-5-5-.09 [Effective 12/29/2021] Reporting**

Every hospital, laboratory and physician confirming abnormal test results or clinical symptoms for the conditions listed in DPH Rule [511-5-5-.03](#) must report those findings to the appropriate follow-up provider and to the Department in accordance with the Georgia Newborn Screening Policy and Procedure Manual.

**Cite as** Ga. Comp. R. & Regs. R. 511-5-5-.09

**AUTHORITY:** O.C.G.A. §§ [31-12-2](#); [31-1-3.2](#); [31-22-2](#).

**HISTORY:** Original Rule entitled "Reporting" adopted. F. May 13, 2014; eff. Jun 2, 2014.

**Amended:** F. Nov. 29, 2021; eff. Dec. 29, 2021, as specified by the Agency.

# Department 560. RULES OF DEPARTMENT OF REVENUE

## Chapter 560-7. INCOME TAX DIVISION

### Subject 560-7-8. RETURNS AND COLLECTIONS

#### 560-7-8-.56 Historic Rehabilitation Tax Credit

(1) **Purpose.** This regulation provides guidance concerning the implementation and administration of the tax credits under O.C.G.A. § [48-7-29.8](#).

(2) **Coordination of Agencies.** The Georgia Department of Community Affairs is the state agency responsible for certifying that the rehabilitation meets the requirements of O.C.G.A. § [48-7-29.8](#).

(3) **Definitions.** As used in this regulation, the terms "certified rehabilitation", "certified structure", "historic home", "qualified rehabilitation expenditure", "substantial rehabilitation", and "target area" shall have the same meaning as in O.C.G.A. § [48-7-29.8](#). As used in this regulation, the terms "full-time employee" and "full-time permanent job" means a person who works a job that requires 30 or more hours per week.

(4) **Historic Rehabilitation Tax Credit for a Historic Home.** A taxpayer shall be allowed a tax credit equal to 25 percent of the qualified rehabilitation expenditures for the certified rehabilitation of a historic home in the taxable year in which the certified rehabilitation is placed in service; except that in the case of a historic home located within a target area, an additional credit equal to 5 percent of the qualified rehabilitation expenditures shall be allowed. For historic homes completed on or after January 1, 2022, the credit must be preapproved as provided in paragraph (5) of this regulation.

(a) **Credit limitation.** The amount of historic rehabilitation tax credit for a historic home shall not exceed \$100,000.00 in any 120 month period.

(b) **Claiming the Historic Rehabilitation Tax Credit for a Historic Home.** For a taxpayer to claim the historic rehabilitation tax credit for a historic home, the taxpayer must submit with the taxpayer's Georgia income tax return Form IT-RHC, the property tax bill for the year immediately before the beginning of the 24 month (or 60 month) period, the property tax bill for the year immediately after the beginning of the 24 month (or 60 month) period, and their completed final certification from the Georgia Department of Community Affairs.

(c) **Carry Forward.** Any unused historic rehabilitation tax credit for a historic home may be carried forward for ten years after the close of the taxable year in which the certified rehabilitation was completed.

(d) **Sale of the Historic Home.** Except as provided in subparagraph (4)(e) of this regulation, in the event a historic rehabilitation tax credit for a historic home is claimed and allowed the taxpayer, upon the sale or transfer of the historic home, the taxpayer shall be authorized to transfer the remaining unused amount of such historic rehabilitation tax credit for a historic home to the purchaser of such historic home. If a historic home for which a certified rehabilitation has been completed by a nonprofit corporation is sold or transferred, the full amount of the credit to which the nonprofit corporation would be entitled if taxable shall be transferred to the purchaser or transferee at the time of the sale or transfer.

1. Such purchaser shall be subject to the limitations of this paragraph and O.C.G.A. § [48-7-29.8](#), and shall file with the purchaser's tax return a copy of the final certification from the Georgia Department of Community Affairs and a copy of the form evidencing the transfer of the tax credit.

2. Such purchaser shall be entitled to rely in good faith on the information contained in and used in connection with obtaining the final certification of the credit including without limitation, the amount of the qualified rehabilitation expenditures.

(e) Recapture of the Historic Rehabilitation Tax Credit for a Historic Home. If an owner other than a nonprofit corporation sells a historic home within three years of receiving the credit, the seller shall recapture the credit to the Department as follows:

1. If the property is sold within one year of receiving the credit, the recapture amount will equal the lesser of the credit or the net profit of the sale;

2. If the property is sold within two years of receiving the credit, the recapture amount will equal the lesser of two-thirds of the credit or the net profit of the sale; or

3. If the property is sold within three years of receiving the credit, the recapture amount will equal the lesser of one-third of the credit or the net profit of the sale.

(f) Exception to Recapture Provision. The recapture provisions in subparagraph (4)(e) of this regulation shall not apply to a sale resulting from the death of the owner.

**(5) Credit cap for 2022 for Historic Homes and for Any Other Certified Structure earning \$300,000 or less.** In no event shall the aggregate amount allowed for historic homes completed on or after January 1, 2022 and any other certified structures earning \$300,000 or less, together exceed \$5 million for calendar year 2022.

(a) Preapproval for Historic Homes Completed on or after January 1, 2022. Any taxpayer seeking preapproval to claim the historic rehabilitation tax credit for a historic home which is actually completed on or after January 1, 2022 must electronically submit Form IT-RHC-AP, and their precertification from the Georgia Department of Community Affairs through the Georgia Tax Center. The taxpayer must estimate their credit amounts on Form IT-RHC-AP if the certified rehabilitation has not been completed. The amount of tax credit claimed on the taxpayer's applicable Georgia income tax return must be based on the actual amount of the qualified rehabilitation expenditures. If the taxpayer is preapproved for an amount that exceeds the amount that is calculated using the actual amount of the qualified rehabilitation expenditures when the return is filed, the excess preapproved amount cannot be claimed by the taxpayer, nor shall the excess preapproved amount be claimed by, reallocated to, assigned to, or transferred or sold to any other taxpayer. If the taxpayer is a disregarded entity then such information should be submitted in the name of the owner of the disregarded entity.

(b) Preapproval for Any Other Certified Structure Earning \$300,000 or less. Any taxpayer seeking preapproval to claim the historic rehabilitation tax credit for any other certified structure earning \$300,000 or less completed on or after January 1, 2022 must request preapproval by submitting the electronic Form IT-RHC-AP through the Georgia Tax Center, including the information required by subparagraph (6)(f)1. of this regulation, and their precertification from Department of Community Affairs; provided, however, a project that was expected to be completed in 2021 or before and which has a preapproval for such year, is not required to request another preapproval but must complete the project within the two year period of and as provided in paragraph (7) of this regulation. The taxpayer must estimate their credit amounts on Form IT-RHC-AP if the certified rehabilitation has not been completed. The amount of tax credit claimed on the taxpayer's applicable Georgia income tax return must be based on the actual amount of the qualified rehabilitation expenditures. If the taxpayer is preapproved for an amount that exceeds the amount that is calculated using the actual amount of the qualified rehabilitation expenditures when the return is filed, the excess preapproved amount cannot be claimed by the taxpayer, nor shall the excess preapproved amount be claimed by, reallocated to, assigned to, or transferred or sold to any other taxpayer. If the taxpayer is a disregarded entity then such information should be submitted in the name of the owner of the disregarded entity.

(c) Notification. The Department will notify each taxpayer of the tax credits preapproved and allocated to such taxpayer within thirty (30) days from the date the fully completed Form IT-RHC-AP and all required supporting documentation was submitted through the Georgia Tax Center.

(d) Allocation of Tax Credit. The Commissioner shall allow the tax credit under paragraph (5) of this regulation on a first-come, first-served basis. The date the fully completed Form IT-RHC-AP is electronically submitted shall be used to determine such first-come, first-served basis.

(e) Applications received on the day the maximum credit amount is reached. In the event that the credit amounts on applications received by the Commissioner, for historic homes actually completed on or after January 1, 2022 and for any other certified structure earning \$300,000 or less completed on or after January 1, 2022, exceed the maximum aggregate limit in paragraph (5) of this regulation, then the tax credits shall be allocated among the taxpayers who submitted Form IT-RHC-AP on the day the maximum aggregate limit was exceeded on a pro rata basis based upon amounts otherwise allowed under O.C.G.A. § [48-7-29.8](#) and this regulation. Only credit amounts on applications received on the day the maximum aggregate limit was exceeded will be allocated on a pro rata basis.

(f) In the event it is determined that the taxpayer has not met all the requirements of O.C.G.A. § [48-7-29.8](#) and this regulation, then the amount of credits shall not be approved or the approved credits shall be retroactively denied. The taxpayer shall file amended returns for the taxable year the credit was claimed reducing the credit. With respect to such denied credits, tax, interest, and penalties shall be due if the credits have already been used by the taxpayer or have been sold or transferred regardless of whether the transferee has used the credit or not.

**(6) Historic Rehabilitation Tax Credit for Any Other Certified Structure.** A taxpayer shall be allowed a tax credit equal to 25 percent of the qualified rehabilitation expenditures for the certified rehabilitation of any other certified structure, other than a historic home, in the taxable year in which the certified rehabilitation is placed in service, except as provided in subparagraph (6)(j) of this regulation and paragraph (7) of this regulation.

(a) Credit limitations. For certified rehabilitations completed before January 1, 2017, the historic rehabilitation tax credit for any other certified structure shall not exceed \$300,000 in any 120 month period.

(b) For certified rehabilitations completed on or after January 1, 2017, the maximum credit for any other individual certified structure shall be \$5 million per taxable year; except that in the case of a project that creates 200 or more full-time permanent jobs or \$5 million in annual payroll within two years of the placed in service date, the maximum credit amount is \$10 million for any other individual certified structure. For purposes of this regulation, a full-time permanent job means a person who works a job that requires 30 or more hours per week.

(c) For certified rehabilitations completed on or after January 1, 2017, in no event shall more than one application for any individual certified structure be approved in any 120 month period but a taxpayer is allowed to submit an additional preapproval application, electronic Form IT-RHC-AP if it is the same project. Such additional preapproval application, electronic Form IT-RHC-AP, is subject to the requirements of this regulation and shall not be given priority over applications with an application date that is earlier than the additional preapproval application date.

(d) Credit Carry Forward. For certified rehabilitations completed before January 1, 2017, any unused historic rehabilitation tax credit for any other certified structure may be carried forward for ten years after the close of the taxable year in which the certified rehabilitation was completed. For certified rehabilitations completed on or after January 1, 2017, no unused historic rehabilitation tax credit for any other certified structure shall be allowed the taxpayer or the transferee against succeeding years' tax liability.

(e) Credit cap for any other certified structure earning more than \$300,000 in historic rehabilitation tax credits. For certified rehabilitations completed on or after January 1, 2017, in no event shall historic rehabilitation tax credits for any other certified structure earning more than \$300,000 in historic rehabilitation tax credits under subparagraph (6)(b) of this regulation, exceed \$25 million per calendar year.

(f) Preapproval. For certified rehabilitations completed on or after January 1, 2017, any taxpayer seeking preapproval to claim the tax credits, for any other certified structure that is not subject to paragraph (5) of this regulation, must electronically submit Form IT-RHC-AP, including the information required by subparagraph (6)(f)1. of this regulation, and their precertification from the Georgia Department of Community Affairs through the Georgia Tax Center. The taxpayer must estimate their credit amounts on Form IT-RHC-AP if the certified rehabilitation has not been completed. The amount of tax credit claimed on the taxpayer's applicable Georgia income tax return must be based on the actual amount of the qualified rehabilitation expenditures. If the taxpayer is preapproved for an amount that exceeds the amount that is calculated using the actual amount of the qualified rehabilitation expenditures when the return is filed, the excess preapproved amount cannot be claimed by the taxpayer, nor shall the excess preapproved amount be claimed by, reallocated to, assigned to, or transferred or sold

to any other taxpayer. If the taxpayer is a disregarded entity then such information should be submitted in the name of the owner of the disregarded entity.

1. The following information must be submitted with Form IT-RHC-AP:

(i) Documentation to show one of the following:

(I) If the certified structure was purchased by the applicant, a copy of the warranty deed indicating the applicant as the owner of the property; or

(II) If the certified structure is leased by the applicant, documentation showing that the applicant leases the property and showing that the qualified rehabilitation expenditures would not be disqualified by Internal Revenue Code Section 47(c)(2)(B), which disallows expenditures if on the date the rehabilitation is completed, the remaining term of the lease is less than the building's recovery period. This documentation must include a copy of the lease and documentation showing whether the property is residential rental property with a recovery period of 27.5 years or nonresidential real property with a recovery period of 39 years;

(ii) The ownership and or membership of the applicant entity. This documentation must include information regarding each owner or member of the applicant, and, if any owner or member is itself a pass-through entity, information regarding its ownership and or membership. Such information must include the name, federal identification number, ownership percentage, whether or not they are a tax exempt entity, and whether they control the applicant entity;

(iii) Which entities or members of a pass-through entity intend to claim the credit and in what percentage(s);

(iv) The percentage of the subject property that will be used for non-profit purposes, if any;

(v) Whether the applicant or another entity intends to sublease the property to other entities and which entities they intend to sublease to and if such entities are tax exempt entities;

(vi) If the property is being leased, whether or not the owner of the property is a tax exempt entity;

(vii) Whether or not the project qualifies for the Federal Rehabilitation Credit allowed under Internal Revenue Code Section 47; and

(viii) Any other information requested by the Department.

(g) Notification. For any taxpayer seeking preapproval to claim the tax credits for any other certified structure that is not subject to paragraph (5) of this regulation, the Department will notify each taxpayer of the tax credits preapproved and allocated to such taxpayer, within thirty (30) days from the date the fully completed Form IT-RHC-AP and all required supporting documentation was submitted through the Georgia Tax Center.

(h) Allocation of Tax Credit. For any taxpayer seeking preapproval to claim the tax credits for any other certified structure that is not subject to paragraph (5) of this regulation, the Commissioner shall allow the tax credit on a first-come, first-served basis. The date the fully completed Form IT-RHC-AP is electronically submitted shall be used to determine such first-come, first-served basis.

(i) Applications received on the day the maximum credit amount is reached for any other certified structure earning more than \$300,000 in historic rehabilitation tax credits. In the event that the credit amounts on applications received by the Commissioner exceed the maximum aggregate limit in subparagraph (6)(e) of this regulation, then the tax credits shall be allocated among the taxpayers who submitted Form IT-RHC-AP on the day the maximum aggregate limit was exceeded on a pro rata basis based upon amounts otherwise allowed under O.C.G.A. § [48-7-29.8](#) and this regulation. Such proration shall include all applications received on the day the maximum aggregate limit was exceeded regardless of whether it is for the credit cap year at issue or for an earlier year where the credit cap has been reached. Only credit amounts on applications received on the day the maximum aggregate limit was exceeded will be allocated on a pro rata basis.

(j) For any other certified structure earning more than \$300,000 in historic rehabilitation tax credits, priority for prorated applications and applications submitted after a calendar year cap is reached. Any application that is prorated because a calendar year credit cap is reached and any application that is submitted after a calendar year credit cap is reached shall be approved for a subsequent calendar year whose credit cap has not been reached, and shall have priority over any applications with a latter submission date. In such case, the taxpayer shall claim the credit in the taxable year that begins in such subsequent preapproved calendar year or as provided in paragraph (7) of this regulation. If the calendar year credit cap for all subsequent calendar years has been reached then the application shall be denied.

(k) Preapproval for Calendar Year 2022 for any other certified structure earning more than \$300,000 in historic rehabilitation tax credits. Taxpayers that were prorated or denied the any other certified structure credit for a project earning more than \$300,000 because the credit cap was met for 2017, 2018, 2019, 2020 or 2021, may submit the electronic Form IT-RHC-AP for 2022 for additional credit amounts so long as it is the same project, and they will have priority as provided in this regulation. Taxpayers that met the requirements for any other certified structure for a credit amount of more than \$300,000 that choose to apply for the noncapped credit for any other certified structure (for a credit amount of \$300,000 or less) for 2017, 2018, 2019, 2020 or 2021 may submit an electronic Form IT-RHC-AP for 2022 for any other certified structure earning more than \$300,000, for additional credit amounts so long as it is the same project and they will have priority as provided in this regulation.

(l) Claiming the Historic Rehabilitation Tax Credit for Any Other Certified Structure. A taxpayer claiming the tax credits under subparagraph (6)(a) of this regulation shall attach to its Georgia income tax return for each year the credit is claimed Form IT-RHC, the property tax bill for the year immediately before the beginning of the 24 month (or 60 month) period, the property tax bill for the year immediately after the beginning of the 24 month (or 60 month) period, and their completed final certification from the Georgia Department of Community Affairs. A taxpayer claiming the tax credits under subparagraph (6)(b) of this regulation must attach to its Georgia income tax return for each year the credit is claimed an approved Form IT-RHC-AP, Form IT-RHC, the property tax bill for the year immediately before the beginning of the 24 month (or 60 month) period, the property tax bill for the year immediately after the beginning of the 24 month (or 60 month) period, and their completed final certification from the Georgia Department of Community Affairs.

(m) In the event it is determined that the taxpayer has not met all the requirements of O.C.G.A. § [48-7-29.8](#) and this regulation, then the amount of credits shall not be approved or the approved credits shall be retroactively denied. The taxpayer shall file amended returns for the taxable year the credit was claimed reducing the credit. With respect to such denied credits, tax, interest, and penalties shall be due if the credits have already been used by the taxpayer or have been sold or transferred regardless of whether the transferee has used the credit or not.

(n) Pass-through entities. When the taxpayer is a pass-through entity, and has no income tax liability of its own, the historic rehabilitation tax credit for any other certified structure, shall be allocated to the partners, members, or shareholders of that entity in accordance with the provisions of any agreement among the partners, members, or shareholders of that entity and without regard to the ownership interest of the partners, members, or shareholders in the rehabilitated certified structure, provided that the entity or person that claims the credit must be subject to Georgia tax. The credit forms will initially be filed with the tax return of the pass-through entity to establish the amount of the credit available for pass through. The credit will then pass through to its shareholders, members, or partners to be applied against the tax liability on their income tax returns. The credits are available for use as a credit by the shareholders, members, or partners for their tax year in which the income tax year of the pass-through entity ends. For example: A partnership earns the credit for its tax year ending January 31, 2017. The partnership passes the credit to a calendar year partner. The credit is available for use by the individual partner beginning with the calendar 2017 tax year.

(o) Selling or Transferring the Historic Rehabilitation Tax Credit for Any Other Certified Structure. The taxpayer may sell or transfer in whole or in part any historic rehabilitation tax credit for any other certified structure earned under subparagraph (6)(b) of this regulation that was previously claimed but not used by such taxpayer against its income tax, to another Georgia taxpayer subject to the following conditions:

1. The taxpayer may only make a one-time sale or transfer of historic rehabilitation tax credits for any other certified structure earned in each taxable year. However, the sale or transfer may involve more than one transferee. For example, taxpayer 1 earns a \$100,000 credit in year 1. In year 2 they sell \$75,000 of the credit to taxpayer 2. In year 3 they are allowed to sell the remaining \$25,000 of the credit to taxpayer 3. However, both taxpayer 2 and taxpayer 3 are not allowed to resell the credit since the credit can only be sold one-time.

2. The historic rehabilitation tax credits for any other certified structure may be transferred before the tax return is filed by the taxpayer provided the historic rehabilitation tax credits have been earned. However, the amount transferred cannot exceed the amount of the credit which will be claimed and not used on the income tax return of the transferor. The credit is considered earned when the credit has been preapproved by the Department, the certified rehabilitation has been completed, and the taxpayer has received their completed final certification from the Georgia Department of Community Affairs. Preapproval of the credits by itself does not qualify as earning the credit.

3. The taxpayer must file Form IT-TRANS "Notice of Tax Credit Transfer" with the Department of Revenue within 30 days of the transfer or sale of the historic rehabilitation tax credit for any other certified structure. Form IT-TRANS must be submitted electronically to the Department of Revenue through the Georgia Tax Center or alternatively as provided in subparagraph (6)(o)3.(i) of this regulation. The Department of Revenue will not process any Form IT-TRANS submitted or filed in any other manner. If the taxpayer is a disregarded entity then Form IT-TRANS should be filed in the name of the owner of the disregarded entity but the Form IT-RHC should be in the name of the disregarded entity and attached to the owner's Georgia income tax return.

(i) The web-based portal on the Georgia Tax Center. The taxpayer may provide selective information to a representative for the purpose of allowing the representative to submit Form IT-TRANS on their behalf on the Georgia Tax Center outside of a login. The provision of such information shall authorize the representative to submit such Form IT-TRANS. The representative must provide all information required by the web-based portal on the Georgia Tax Center to submit Form IT-TRANS.

4. The taxpayer must provide all required historic rehabilitation tax credit for any other certified structure detail and transfer information to the Department of Revenue. Failure to do so will result in the historic rehabilitation tax credit for any other certified structure being disallowed until the taxpayer complies with such requirements.

5. The carry forward period of the historic rehabilitation tax credit for any other certified structure for the transferee will be the same as it was for the taxpayer. For certified rehabilitations completed on or after January 1, 2017 no unused historic rehabilitation tax credit for any other certified structure shall be allowed to be carried forward.

(i) Example: Taxpayer sells the historic rehabilitation tax credit for any other certified structure on March 15, 2018. This credit is from a certified rehabilitation that received preapproval from the Department for calendar year 2017 and was placed in service in the taxpayer's calendar 2017 tax year. The transferee is a calendar year taxpayer. The credit may be claimed by the transferee on the calendar 2017 tax year return. This credit cannot be carried forward by the taxpayer or the transferee. This credit can only be utilized in tax year 2017.

6. A transferee shall have only such rights to claim and use the historic rehabilitation tax credit for any other certified structure that were available to the taxpayer at the time of the transfer. Thus, a transferee shall not have the right to subsequently transfer such credit since that right has been utilized by the transferor.

7. Only the taxpayer who earned the historic rehabilitation tax credit for any other certified structure, and no subsequent good faith transferee, shall be responsible in the event of a recapture, reduction, disallowance, or other failure related to such credit provided the credit was properly claimed by the taxpayer.

(p) How to Sell or Transfer the Historic Rehabilitation Tax Credit for Any Other Certified Structure. The taxpayer may sell or transfer the historic rehabilitation tax credit for any other certified structure directly to a Georgia taxpayer (or multiple Georgia taxpayers as provided in subparagraph (6)(o)1. of this rule). A pass-through entity may make an election to sell or transfer the unused historic rehabilitation tax credit for any other certified structure earned in a taxable year at the entity level. If the pass-through entity makes the election to sell the historic rehabilitation tax credit for any other certified structure at the entity level, the credit does not pass through to the



shareholders, members, or partners. In all cases, the effect of the sale of the credit on the income of the seller and buyer of the credit will be the same as provided in the Internal Revenue Code.

1. **Pass-Through Entity.** The taxpayer may be structured as a pass-through entity. If a pass-through entity does not make an election to sell or transfer the tax credit at the entity level as provided in subparagraph (6)(p) of this rule, the tax credit will pass through to the shareholders, partners or members of the entity based on any agreement among the partners, members, or shareholders of that entity without regard to the ownership interest of the partners, members or shareholders in the rehabilitated certified structure, provided that the entity or person that claims the credit must be subject to Georgia tax. The shareholders, members, or partners may then sell their respective historic rehabilitation tax credit for any other certified structure to a Georgia taxpayer.

2. **Transferee Pass-Through Entity.** The taxpayer or its shareholders, members, or partners, may sell or transfer the tax credit to a pass-through entity. If the pass-through entity has no income tax liability of its own, the pass-through entity may then pass the credit through to its shareholders, members, or partners based on any agreement among the partners, members, or shareholders of that entity without regard to the ownership interest of the partners, members, or shareholders in the pass-through entity, provided that the entity or person that claims the credit must be subject to Georgia tax. For example, if a calendar year partnership is buying the credit earned by a taxpayer in the calendar 2017 tax year and preapproved by the Department for calendar year 2017, then all of the partners receiving the credit must have been a partner in the partnership no later than the end of the 2017 tax year of the partnership. The credits are available for use as a credit by the shareholders, members, or partners for their tax year in which the income tax year of the pass-through entity ends. For example, a taxpayer that received preapproval for calendar year 2017 and placed in service the certified rehabilitation for any other certified structure in July of 2017, sells the credit to a pass-through entity in August of 2017, and the generating taxpayer claims the credit on their calendar year 2017 income tax return. The pass-through entity is entitled to use the credits on its calendar year 2017 tax return. The pass-through entity has two partners. The first partner is a calendar year partner. This credit can only be utilized on the calendar tax year 2017 return and cannot be carried forward by the partner. The second partner is a corporation with fiscal year ending June 30, 2018. This credit can only be utilized on the fiscal year ending June 30, 2018 and cannot be carried forward by the partner.

3. The credits are available for use by the transferee, provided the time has not expired for filing a claim for refund of a tax or fee erroneously or illegally assessed and collected under O.C.G.A. § [48-2-35](#) in the transferee's tax year in which the income tax year of the taxpayer which claims the historic rehabilitation tax credit for any other certified structure for the certified rehabilitation associated with the credit being sold, ends.

(i) Example: Taxpayer sells the historic rehabilitation tax credit for any other certified structure on March 15, 2018. This credit is from a certified rehabilitation that received preapproval from the Department for calendar year 2017 and was placed in service on or after January 1, 2017 and within the generating taxpayer's fiscal tax year ending June 30, 2017. The transferee is a calendar year taxpayer. The credit may be claimed by the transferee on the calendar 2017 tax year return. This credit cannot be carried forward by the taxpayer or the transferee. This credit can only be utilized in tax year 2017 by the transferee.

(ii) Example: Taxpayer sells the historic rehabilitation tax credit for any other certified structure on March 15, 2018. This credit is from a certified rehabilitation that received preapproval from the Department for calendar year 2017 (on their Form IT-RHC-AP the completion calendar year was 2017 and the credit was awarded for such year) and was placed in service on December 31, 2019. As provided in paragraph (7), the taxpayer chooses to claim the credit on their tax year ending June 30, 2020 tax return. The transferee is a calendar year taxpayer. The credit must be claimed by the transferee on the calendar 2020 tax year return. This credit cannot be carried forward by the taxpayer or the transferee. This credit can only be utilized on the transferee's calendar 2020 tax year return.

(q) **Required reporting.** Notwithstanding Code Sections [48-2-15](#), [48-7-60](#), and [48-7-61](#), the Department shall furnish a report to the chairperson of House Committee on Ways and Means and the chairperson of the Senate Finance Committee by June 30 of each year. Such report shall contain the total sales tax collected in the prior calendar year and the average number of full-time employees at the certified structure and the total value of credits claimed for each taxpayer claiming credits under subparagraph (6)(b).

1. For certified rehabilitations completed on or after January 1, 2017, any taxpayer that generates and claims the tax credit under subparagraph (6)(b) of this regulation must electronically report to the Department through the Georgia Tax Center, using Form IT-RHC-RPT, the monthly average full-time employees employed at the certified structure, the total sales tax collected, and the credits claimed. Such reports must be submitted to the Department for five calendar years following the calendar year in which the credit is claimed by the taxpayer. Such report shall be due by the February 28 that follows the calendar year that is being reported.

2. For purposes of this subparagraph in the event that the taxpayer that generates and claims the tax credit under subparagraph (6)(b) of this regulation leases such other certified structure, all total sales tax receipts from the certified structure and all total full-time employees at the certified structure shall be aggregated.

3. For certified rehabilitations completed on or after January 1, 2017, where the maximum credit amount exceeds \$5 million for any other individual certified structure, the taxpayer shall report using Form IT-RHC-RPT whether or not they created 200 or more full-time permanent jobs or had \$5 million in annual payroll within two years of the placed in service date. Such report shall be due no later than 60 days following the end of such 2 year period.

#### **(7) Completion of the Project For Preapproved Projects.**

(a) For certified rehabilitations of any other certified structure under subparagraph (6)(b) of this regulation completed on or after January 1, 2017 and historic homes preapproved on or after January 1, 2022 under paragraph (5) of this regulation, the project must be placed in service within two years after the completion calendar year listed in the taxpayer's Form IT-RHC-AP (the year for which the credit was originally reserved). If the taxpayer has a fiscal year, such completion calendar year shall for purposes of this paragraph be the tax year that begins in such completion calendar year. If this requirement is met the taxpayer claims the credit in the year listed in the taxpayer's preapproval letter from the Department of Revenue; or the taxpayer may claim the credit in the tax year in which the project is placed in service provided the project is placed in service within two years after the completion calendar year listed in their Form IT-RHC-AP and provided such placed in service year ends later than the end of the year listed in the taxpayer's preapproval letter from the Department of Revenue. If the project is not placed in service within such time period the credit is lost and cannot be claimed, sold, or transferred, unless the taxpayer reapplies for the credit and receives preapproval for such other time period. Unless the Department has evidence to the contrary, the date of completion listed in the final certification authorized by the Georgia Department of Community Affairs shall be used to determine when the project was placed in service. This paragraph shall apply even if the taxpayer is given priority under subparagraph (6)(j) of this regulation and is preapproved for a subsequent calendar year.

1. Example 1. The taxpayer lists 2017 in their Form IT-RHC-AP as the completion calendar year and is preapproved to claim the credit for 2017. The taxpayer is a calendar year taxpayer. The taxpayer must place the project in service on or before December 31, 2019. This taxpayer places the project in service on November 15, 2019. The taxpayer may claim the credit on their taxable year end December 31, 2017 Georgia income tax return or their taxable year end December 31, 2019 Georgia income tax return.

2. Example 2. The taxpayer lists 2018 in their Form IT-RHC-AP as the completion calendar year and is preapproved to claim the credit for 2018. The taxpayer is a fiscal year filer with a February 28 taxable year end. The taxpayer must place the project in service on or before February 28, 2021. This taxpayer places the project in service on March 31, 2019. The taxpayer may claim the credit on their taxable year end February 28, 2019 Georgia income tax return or their February 28, 2020 Georgia income tax return.

(b) The following examples illustrate how the credit is claimed if the taxpayer is preapproved for the credit in a subsequent year as provided by subparagraph (6)(j):

1. Example 3. The taxpayer lists 2018 in their Form IT-RHC-AP as the completion calendar year and is preapproved to claim the credit for 2019. The taxpayer is a calendar year taxpayer. This taxpayer places the project in service on November 15, 2020. The taxpayer may claim the credit on their taxable year end December 31, 2019 Georgia income tax return or their taxable year end December 31, 2020 Georgia income tax return.

2. Example 4. The taxpayer lists 2018 in their Form IT-RHC-AP as the completion calendar year and is preapproved to claim the credit for 2019. The taxpayer is a fiscal year filer with a February 28 taxable year end. This taxpayer places the project in service on January 31, 2021. The taxpayer may claim the credit on their taxable year end February 28, 2020 Georgia income tax return or their February 28, 2021 Georgia income tax return.

(c) A project which is delayed beyond 2 years may submit an application for a later year subject to all the other requirements of this regulation.

(8) **Qualified Rehabilitation Expenditures only Counted Once.** Qualified rehabilitation expenditures can only be counted once in determining the amount of the tax credit available, and more than one entity may not utilize the historic rehabilitation tax credit for the same qualified expenditures.

(9) For money that is available for the calendar year 2022, the Department shall start allowing applications on the first day of 2022 that is not a Saturday, Sunday, legal holiday, or day on which the Federal Reserve Bank is closed and the provisions of Regulation [560-7-8-.54](#) shall apply. Applications submitted before the start date will be denied by the Department.

(10) **Sunset Date.** O.C.G.A. § [48-7-29.8](#), the historic rehabilitation tax credit, shall be repealed December 31, 2022. As such projects completed on or after January 1, 2023 are not eligible except as allowed by paragraph (7) of this regulation.

(11) **Effective Date.** This regulation shall be applicable to certified rehabilitations completed on or after January 1, 2017 regardless of when the certified rehabilitation was started.

**Cite as** Ga. Comp. R. & Regs. R. 560-7-8-.56

**AUTHORITY:** O.C.G.A. §§ [48-2-12](#), [48-7-29.8](#).

**HISTORY:** Original Rule entitled "Historic Rehabilitation Tax Credit" adopted. F. Dec. 8, 2015; eff. Dec. 28, 2015.

**Amended:** F. Sep. 19, 2016; eff. Oct. 9, 2016.

**Amended:** F. Dec. 13, 2019; eff. Jan. 2, 2020.

**Amended:** F. Apr. 13, 2021; eff. May 3, 2021.

**Amended:** F. Nov. 18, 2021; eff. Dec. 8, 2021.

## **560-7-8-.67 Life Sciences Manufacturing Job Tax Credit**

(1) **Purpose.** This regulation provides guidance concerning the implementation and administration of the tax credit under O.C.G.A. § 48-7-40.1 B.

(2) **Definitions.**

(a) As used in this regulation, the terms "establishment", "medical equipment and supplies manufacturer", and "pharmaceutical and medicine manufacturer" shall have the same meaning as in O.C.G.A. § 48-7-40.1 B.

(b) "Life Sciences Manufacturing Job Tax Credit" is the credit established under O.C.G.A. § 48-7-40.1 B that is allowed to a medical equipment and supplies manufacturer and pharmaceutical and medicine manufacturer.

(3) **Credit Amount.** A medical equipment and supplies manufacturer or a pharmaceutical and medicine manufacturer, that qualifies for the job tax credit under O.C.G.A. § [48-7-40](#) or [48-7-40.1](#) and the applicable job tax credit regulations thereunder, shall be allowed an additional \$1,250 life sciences manufacturing job tax credit for

jobs created on or after July 1, 2021 that are engaged in the qualifying activity of manufacturing medical equipment or supplies or manufacturing pharmaceuticals or medicine in Georgia during the taxable year.

(4) **Maximum Amount of Credit.** The life sciences manufacturing job tax credit may be used to offset 100% of the medical equipment and supplies manufacturer's and pharmaceutical and medicine manufacturer's Georgia income tax liability derived from operations within this state.

(5) **Eligibility.** A medical equipment and supplies manufacturer and pharmaceutical and medicine manufacturer shall be eligible for the life sciences manufacturing job tax credit under paragraph (3) of this regulation at an individual establishment of the business. If more than one business activity is conducted at the establishment, then only those jobs engaged in the qualifying activity of manufacturing medical equipment or supplies or manufacturing pharmaceuticals or medicine in Georgia shall be eligible for the life sciences manufacturing job tax credit.

(a) The determination of whether a job is considered engaged in the qualifying activity of manufacturing medical equipment or supplies or manufacturing pharmaceuticals or medicine in Georgia shall be determined on a monthly basis. In order to qualify for the life sciences manufacturing job tax credit, such job must first qualify for and be claimed for the job tax credit under O.C.G.A. § [48-7-40](#) or [48-7-40.1](#). The medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer must compute a monthly average number of jobs engaged in the qualifying activity of manufacturing medical equipment and supplies or manufacturing pharmaceuticals or medicine in Georgia. Any job created on or after July 1, 2021 that is included in the job tax credit calculation, where 50 percent or more of the time is spent in a month on the qualifying activity of manufacturing medical equipment or supplies or manufacturing pharmaceuticals or medicine in Georgia, shall be eligible to be included in the total for such month, but in no case can such number exceed the number of jobs that are included in the job tax credit computation for such month. A job must be excluded from the monthly computation for any month that it does not meet the 50 percent requirement. Once the monthly average is computed, the number that is allowed cannot exceed the number of jobs that are allowed for the job tax credit for such year.

(b) For example. A taxpayer started its business in 2022 and such business manufactures medical equipment and supplies in Georgia and the taxpayer also has another business in Georgia. The taxpayer qualified for and claimed the job tax credit for jobs at both businesses. However, not all the jobs included in the job tax credit are involved in the manufacture of medical equipment and supplies. The taxpayer has the following job numbers in 2022:

Month in 2022	Eligible for the Jobs Tax Credit	Allowed for the life sciences manufacturing job tax credit
January	50	25
February	52	27
March	55	30
April	60	35
May	71	46
June	68	43
July	55	30
August	52	27
September	55	30
October	66	41
November	44	19
December	60	35
Monthly Average - Number of jobs eligible for the job tax credit and allowed for the life sciences manufacturing job tax credit	57	32

(c) Only jobs that are involved in the qualifying activity of manufacturing medical equipment or supplies or manufacturing pharmaceuticals or medicine in Georgia are allowed to be included when claiming the life sciences manufacturing job tax credit. This shall include managers, sales jobs, and support jobs that are involved in the qualifying activity of manufacturing medical equipment and supplies or manufacturing pharmaceuticals or medicine in Georgia provided such persons meet the other requirements including the 50% monthly requirement.

(6) **Conditions and Limitations.** The life sciences manufacturing job tax credit shall be allowed subject to the conditions and limitations under O.C.G.A. §§ [48-7-40](#) or [48-7-40.1](#) and the applicable job tax credit regulations. The life sciences manufacturing job tax credit shall be disallowed during any year that the taxpayer does not qualify as a medical equipment and supplies manufacturer or a pharmaceutical and medicine manufacturer but the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer may requalify in a later year if they meet the requirements.

(a) Medical equipment and supplies manufacturers and pharmaceutical and medicine manufacturers that make the election provided in O.C.G.A. §§ [48-7-40\(m\)](#) or [48-7-40.1\(k\)](#) to use their 2019 job tax credit numbers for their 2021 job tax credit, cannot use their 2019 job tax credit numbers to determine the life sciences manufacturing job tax credit for 2021.

(b) Only medical equipment and supplies manufacturing or pharmaceutical and medicine manufacturing jobs actually created on or after July 1, 2021 can be claimed. As such any job included in the job tax credit computation that was created before July 1, 2021 shall not be eligible for the life sciences manufacturing job tax credit. To determine the number of jobs created on or after July 1, 2021 for any year that includes July 1, 2021, the number of jobs created on or after July 1, 2021 shall be computed by subtracting the average for the months before July 1, 2021 from the average for the year.

1. For example. A taxpayer was in business before July 1, 2021 and has a business that manufactures medical equipment and supplies in Georgia and also has another business in Georgia. The taxpayer qualified for and claimed the job tax credit for jobs at both businesses. However, not all the jobs included in the job tax credit are involved in the manufacture of medical equipment and supplies. The number of jobs created on or after July 1, 2021 that are eligible for the life sciences manufacturing job tax credit is computed as follows:

Month in 2021	Eligible for the Jobs Tax Credit	Allowed for the life sciences manufacturing job tax credit
January	30	25
February	32	27
March	35	30
April	40	35
May	51	46
June	58	43
Average for Jan to June	41	34
July	75	50
August	60	50
September	99	65
October	75	60
November	60	58
December	75	73
Monthly Average for Entire Year	58	47
Monthly average for entire year less Average for Jan to June and allowed for the life sciences manufacturing job tax credit		13

2. For a fiscal year that begins on or after January 1, 2021 and which includes July 1, 2021, the same computation should be performed to determine the number of jobs created on or after July 1, 2021 but there will be different months before and different months after July 1, 2021.

**(7) Cannot claim the Personal Protective Equipment Manufacturer Jobs Tax Credit for the Same Jobs.**

Taxpayers may not claim the life sciences manufacturing job tax credit for any job for which the taxpayer claims the tax credit provided under Code Section 48-7-40.1 A. Jobs for which the personal protective equipment manufacturer jobs tax credit is claimed under Code Section 48-7-40.1 A shall be excluded from all calculations for the life sciences manufacturing job tax credit under this regulation. Also, in no case can the number of jobs claimed under Code Section 48-7-40.1 A and Code Section 48-7-40.1 B together exceed the number of jobs that are included in the job tax credit computation.

**(8) Claiming the Credit.** For a medical equipment and supplies manufacturer or pharmaceutical and medicine manufacturer to claim the life sciences manufacturing job tax credit, the medical equipment and supplies manufacturer or pharmaceutical and medicine manufacturer must submit Form IT-CA with the medical equipment and supplies manufacturer or pharmaceutical and medicine manufacturer's Georgia income tax return each year the credit is claimed. A software program's Form IT-CA that is electronically filed with the Georgia income tax return in the manner specified by the Department satisfies this requirement.

(a) **Withholding tax.** A medical equipment and supplies manufacturer or pharmaceutical and medicine manufacturer may claim any excess life sciences manufacturing job tax credit against its withholding tax liability. Except in the case of a timely assignment under O.C.G.A. § [48-7-42](#), the withholding tax benefit may only be applied against the withholding tax account used by the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer for payroll purposes. In the event the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer that earned the credit is a single member limited liability company that is disregarded for income tax purposes, the withholding tax benefit may only be applied against the withholding tax liability that is attributable to wages paid by the single member limited liability company, but note that such benefit may also be assigned pursuant to O.C.G.A. § [48-7-42](#). A medical equipment and supplies manufacturer or a pharmaceutical and medicine manufacturer must notify the commissioner each year of its irrevocable election to take all or a part of the credit against the quarterly or monthly withholding tax payments for such medical equipment and supplies manufacturer or pharmaceutical and medicine manufacturer. When this election is made by a pass-through entity, the excess life sciences manufacturing job tax credit will not pass through to the shareholders, partners, or members of the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer if the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer is a pass-through entity.

1. **Notice of Intent.** To claim any excess tax credit not used on the income tax return against the medical equipment and supplies manufacturer's or the pharmaceutical and medicine manufacturer's withholding tax liability, the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer must file Revenue Form IT-WH through the Georgia Tax Center within thirty (30) days after the due date of the Georgia income tax return (including extensions) or within thirty (30) days after the filing of a timely filed Georgia income tax return, whichever occurs first. Failure to file this form as provided in this subparagraph will result in disallowance of the withholding tax benefit. However, in the case of a credit which is earned in more than one taxable year, the election to claim the withholding credit will be available for the credit earned in such subsequent year.

2. **Review Period.** The Department of Revenue has one hundred twenty (120) days from the date the applicable Form IT-WH under subparagraph (8)(a)1. of this regulation is received to review the credit and make a determination of the amount eligible to be used against withholding tax.

3. **Letter of Eligibility.** Once the review is completed, a letter will be sent to the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer stating the tax credit amount which may be applied against withholding and when the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer may begin to claim the tax credit against withholding tax. The Department of Revenue shall treat this amount as a credit against future withholding tax payments and will not refund any previous withholding payments.

(9) **Carry Forward.** Any life sciences manufacturing job tax credit which is claimed but not used in a taxable year may be carried forward for 10 years from the close of the taxable year in which the life sciences manufacturing job tax credit jobs were created. For example, life sciences manufacturing job tax credit created by an employment increase in year one, but not used in year one, may be carried forward to years two through eleven.

(10) **Pass-Through Entities.** When the medical equipment and supplies manufacturer or the pharmaceutical and medicine manufacturer is a pass-through entity, and has no income tax liability of its own, the tax credit will pass to its individual members, shareholders, or partners based on their year ending profit/loss percentage. The credit forms will initially be filed with the tax return of the pass-through entity to establish the amount of the credit available for pass through. The credit will then pass through to its individual shareholders, members, or partners to be applied against the tax liability on their income tax returns. The shareholders, members, or partners may not claim any excess life sciences manufacturing job tax credit against their withholding tax liabilities. The credits are available for use as a credit by the individual shareholders, members, or partners for their tax year in which the income tax year of the pass-through entity ends. For example: A partnership earns the credit for its tax year ending January 31, 2022. The partnership passes the credit to a calendar year partner. The credit is available for use by the individual partner beginning with the 2022 calendar tax year.

(11) **Effective Date.** This regulation shall be effective on July 1, 2021 and shall be applicable to taxable years beginning on or after January 1, 2021.

**Cite as** Ga. Comp. R. & Regs. R. 560-7-8-.67

**AUTHORITY:** O.C.G.A. §§ [48-2-12](#), **48-7-40.1B**.

**HISTORY:** Original Rule entitled "Life Sciences Manufacturing Job Tax Credit" adopted. F. Nov. 18, 2021; eff. Dec. 8, 2021.